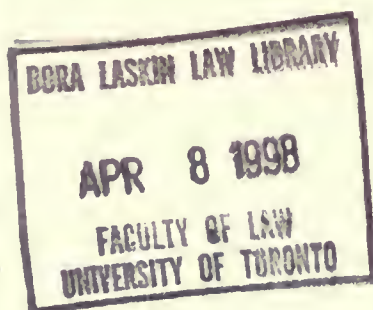




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1996—07—06

## ONTARIO REGULATION 274/96 made under the FOREST FIRES PREVENTION ACT

Made: June 19, 1996  
Filed: June 19, 1996

### RESTRICTED FIRE ZONE

1. The West Fire Region, as described in Schedule 1 to Ontario Regulation 207/96, is declared to be a restricted fire zone from 0001 hours on the 20th day of June to 2400 hours on the 26th day of June, both inclusive, in the year 1996.

PETER ALLEN  
Executive Assistant  
Deputy Minister's Office  
Ministry of Natural Resources

Dated at Toronto on June 19, 1996.

27/96

## ONTARIO REGULATION 275/96 made under the FOREST FIRES PREVENTION ACT

Made: June 19, 1996  
Filed: June 19, 1996

### RESTRICTED FIRE ZONE

1. Zones 13, 14, 15, 16, 17, 18 and 21 of the East Fire Region, as described in Schedule 2 to Ontario Regulation 207/96, are declared to be a restricted fire zone from 0001 hours on the 20th day of June to 2400 hours on the 26th day of June, both inclusive, in the year 1996.

PETER ALLEN  
Executive Assistant  
Deputy Minister's Office  
Ministry of Natural Resources

Dated at Toronto on June 19, 1996.

27/96

## ONTARIO REGULATION 276/96 made under the EDUCATION ACT

Made: June 19, 1996  
Filed: June 20, 1996

Amending O. Reg. 168/93  
(Assessment and Tax Adjustments—1993)

Note: Ontario Regulation 168/93 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Schedule 1 to Ontario Regulation 168/93 is amended by striking out under the heading "COUNTY OF DUFFERIN" and subheading "Townships",

<b>Mulmyr</b>	<b>96.684</b>	<b>3.316</b>
and substituting the following:		

Mulmur	96.684	3.316
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(2) Schedule 1 to the Regulation is amended by striking out under the heading "COUNTY OF HURON" and subheading "Towns",

<b>Goderich</b>	<b>94.173</b>	<b>5.827</b>
and substituting the following:		

Goderich	90.023	9.977
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(3) Schedule 1 to the Regulation is amended by striking out under the heading "COUNTY OF HURON" and subheading "Townships",

<b>Goderich</b>	<b>90.023</b>	<b>9.977</b>
and substituting the following:		

Goderich	94.173	5.827
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(4) Schedule 1 to the Regulation is amended by adding under the heading "COUNTY OF LAMBTON", immediately before "Sarnia", the following subheading:

City

(5) Schedule 1 to the Regulation is amended by striking out under the heading "COUNTY OF NORTHUMBERLAND" and subheading "Towns",

<b>Cobourg</b>	<b>92.658</b>	<b>9.068</b>
and substituting the following:		

Cobourg	90.932	9.068
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(6) Schedule 1 to the Regulation is amended by striking out under the heading "COUNTY OF PERTH" and subheading "Townships",

<b>Logan</b>	<b>84.936</b>	<b>15.604</b>
and substituting the following:		

Logan	84.936	15.064
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(7) Schedule 1 to the Regulation is amended by striking out under the heading "COUNTY OF RENFREW" and subheading "Villages",

<b>Killaloe</b>	<b>70.239</b>	<b>29.671</b>
and substituting the following:		
<b>Killaloe</b>	<b>70.329</b>	<b>29.671</b>
(8) Schedule 1 to the Regulation is amended by striking out under the heading "COUNTY OF RENFREW" and subheading "Townships",		
<b>Bagot and Blithfield</b>	<b>85.841</b>	<b>14.459</b>
and substituting the following:		
<b>Bagot and Blithfield</b>	<b>85.541</b>	<b>14.459</b>
(9) Schedule 1 to the Regulation is amended by striking out under the heading "COUNTY OF VICTORIA" and subheading "Townships",		
<b>Fenelon</b>	<b>92.261</b>	<b>3.739</b>
and substituting the following:		
<b>Fenelon</b>	<b>96.261</b>	<b>3.739</b>
(10) Schedule 1 to the Regulation is amended by striking out under the heading "DISTRICT OF RAINY RIVER" where that heading first appears and under the subheading "Towns",		
<b>Rainy River</b>	<b>93.478</b>	<b>6.552</b>
and substituting the following:		
<b>Rainy River</b>	<b>93.478</b>	<b>6.522</b>
(11) Schedule 1 to the Regulation is amended by adding under the heading "DISTRICT OF COCHRANE" where that heading appears for the second time the following:		
<u>District School Area Board</u> <b>Smoky Falls</b>	<b>85.951</b>	<b>14.049</b>
(12) Schedule 1 to the Regulation is amended by striking out under the heading "DISTRICT OF PARRY SOUND" where that heading appears for the second time and under the subheading "Board of Education",		
<b>East Parry Sound</b>	<b>99.800</b>	<b>0.120</b>
and substituting the following:		
<b>East Parry Sound</b> (Monteith)	<b>100.000</b>	<b>0.000</b>
<b>East Parry Sound</b> (other district municipalities)	<b>99.880</b>	<b>0.120</b>
2. (1) Schedule 3 to the Regulation 168/93 is amended by striking out under the heading "COUNTY OF DUFFERIN" and subheading "Townships",		
<b>Mulmyr</b>	<b>96.820</b>	<b>3.180</b>
and substituting the following:		
<b>Mulmur</b>	<b>96.820</b>	<b>3.180</b>
(2) Schedule 3 to the Regulation is amended by striking out under the heading "COUNTY OF HURON" and subheading "Towns",		
<b>Goderich</b>	<b>94.173</b>	<b>5.827</b>

and substituting the following:

<b>Goderich</b>	<b>90.023</b>	<b>9.977</b>
(3) Schedule 3 to the Regulation is amended by striking out under the heading "COUNTY OF HURON" and subheading "Townships",		
<b>Goderich</b>	<b>90.023</b>	<b>9.977</b>
and substituting the following:		
<b>Goderich</b>	<b>94.173</b>	<b>5.827</b>
(4) Schedule 3 to the Regulation is amended by adding under the heading "COUNTY OF LAMBTON", immediately before "Sarnia", the following subheading:		
<u>City</u>		
(5) Schedule 3 to the Regulation is amended by striking out under the heading "COUNTY OF PERTH" and subheading "Townships",		
<b>Logan</b>	<b>84.936</b>	<b>15.604</b>
and substituting the following:		
<b>Logan</b>	<b>84.936</b>	<b>15.064</b>
(6) Schedule 3 to the Regulation is amended by striking out under the heading "COUNTY OF VICTORIA" and subheading "Townships",		
<b>Fenelon</b>	<b>92.261</b>	<b>3.739</b>
and substituting the following:		
<b>Fenelon</b>	<b>96.261</b>	<b>3.739</b>
(7) Schedule 3 to the Regulation is amended by striking out under the heading "DISTRICT OF RAINY RIVER" where that heading first appears and under the subheading "Towns",		
<b>Rainy River</b>	<b>93.478</b>	<b>6.552</b>
and substituting the following:		
<b>Rainy River</b>	<b>93.478</b>	<b>6.522</b>
(8) Schedule 3 to the Regulation is amended by adding under the heading "DISTRICT OF COCHRANE" where that heading appears for the second time the following:		
<u>District School Area Board</u> <b>Smoky Falls</b>	<b>85.951</b>	<b>14.049</b>
(9) Schedule 3 to the Regulation is amended by striking out under the heading "DISTRICT OF PARRY SOUND" where that heading appears for the second time and under the subheading "Board of Education",		
<b>East Parry Sound</b>	<b>99.800</b>	<b>0.120</b>
and substituting the following:		
<b>East Parry Sound</b> (Monteith)	<b>100.000</b>	<b>0.000</b>
<b>East Parry Sound</b> (other district municipalities)	<b>99.880</b>	<b>0.120</b>



**ONTARIO REGULATION 277/96**  
made under the  
**EDUCATION ACT**

Made: June 19, 1996

Filed: June 20, 1996

**ASSESSMENT AND TAX ADJUSTMENTS—1996**

1. (1) For purposes of taxation in 1996, the proportions of assessment of designated ratepayers rated and assessed in each municipality set out in Column 1 of Schedule 1, and the allocation or payment of the tax levied under subsections 159 (12) and (13) of the *Municipal Act* in each of those municipalities, shall be adjusted as follows:

1. For public school purposes, to the percentage of the assessment, or the tax, as the case may be, set out in Column 2 opposite the municipality.
2. For separate school purposes, to the percentage of the assessment, or the tax, as the case may be, set out in Column 3 opposite the municipality.

(2) The assessment commissioner shall adjust the assessment roll returned for each municipality in 1995 for taxation in 1996 according to the calculations made under subsection (1).

(3) The council of each municipality shall allocate or pay the tax levied under subsections 159 (12) and (13) of the *Municipal Act* according to the proportions determined under subsection (1).

2. (1) For purposes of taxation in 1996, the proportions of assessment of designated ratepayers rated and assessed in each area municipality of The Regional Municipality of Ottawa-Carleton set out in Column 1 of Schedule 2, and the allocation or payment of the tax levied under subsections 159 (12) and (13) of the *Municipal Act* in each of those municipalities, shall be adjusted as follows:

1. For The Ottawa Board of Education or The Carleton Board of Education, to the percentage of the assessment or the tax, as the case may be, set out in Column 2 opposite the area municipality.
2. For The Ottawa Roman Catholic Separate School Board or The Carleton Roman Catholic Separate School Board, to the percentage of the assessment or the tax, as the case may be, set out in Column 3 opposite the area municipality.

3. For the Conseil des écoles publiques d'Ottawa-Carleton, to the percentage of the assessment or the tax, as the case may be, set out in Column 4 opposite the area municipality.

4. For the Conseil des écoles catholiques de langue française de la région d'Ottawa-Carleton, to the percentage of the assessment or the tax, as the case may be, set out in Column 5 opposite the area municipality.

(2) The assessment commissioner shall adjust the assessment roll returned for each area municipality in The Regional Municipality of Ottawa-Carleton in 1995 for taxation in 1996 according to the calculations made under subsection (1).

(3) The council of each area municipality in The Regional Municipality of Ottawa-Carleton shall allocate or pay the tax levied under subsections 159 (12) and (13) of the *Municipal Act* according to the proportions determined under subsection (1).

3. (1) For purposes of taxation in 1996, the proportions of assessment of designated ratepayers rated and assessed in each municipality in the United counties of Prescott and Russell set out in Column 1 of Schedule 3, and the allocation or payment of the tax levied under subsections 159 (12) and (13) of the *Municipal Act* in each of those municipalities, shall be adjusted as follows:

1. For The Prescott and Russell County Board of Education, to the percentage of the assessment or the tax, as the case may be, set out in Column 2 opposite the municipality.
2. For the Conseil des écoles séparées catholiques de langue française de Prescott-Russell, to the percentage of the assessment or the tax, as the case may be, set out in Column 3 opposite the municipality.
3. For The Prescott and Russell County Roman Catholic English-Language Separate School Board, to the percentage of the assessment or the tax, as the case may be, set out in Column 4 opposite the municipality.

(2) The assessment commissioner shall adjust the assessment roll returned for each municipality in the United counties of Prescott and Russell in 1995 for taxation in 1996 according to the calculations made under subsection (1).

(3) The council of each municipality in the United counties of Prescott and Russell shall allocate or pay the tax levied under subsections 159 (12) and (13) of the *Municipal Act* according to the proportions determined under subsection (1).

## SCHEDULE 1

Column 1	Column 2	Column 3	Column 1	Column 2	Column 3
<b>MUNICIPALITY OF METROPOLITAN TORONTO</b>			<b>Towns</b>		
<u>Cities</u>			Port Erie	71.745	28.255
Etobicoke	71.106	28.894	Grimsby	76.799	23.201
North York	75.680	24.320	Lincoln	80.614	19.386
Scarborough	77.250	22.750	Niagara-On-The-Lake	81.313	18.687
Toronto	79.959	20.041	Peiham	73.243	26.757
York	70.606	29.394	<u>Townships</u>		
<u>Borough</u>			Wainfleet	73.793	26.207
East York	79.698	20.302	West Lincoln	81.943	18.057
<b>REGIONAL MUNICIPALITY OF DURHAM</b>			<b>REGIONAL MUNICIPALITY OF PEEL</b>		
<u>City</u>			<u>Cities</u>		
Oshawa	75.118	24.882	Brampton	67.186	32.814
<u>Municipality</u>			Mississauga	66.292	33.708
Clarington	84.300	15.700	<u>Town</u>		
<u>Towns</u>			Caledon	71.095	28.905
Ajax	74.750	25.250	<b>REGIONAL MUNICIPALITY OF SUDBURY</b>		
Pickering	74.119	25.881	<u>City</u>		
Whitby	73.810	26.190	Sudbury	49.993	50.007
<u>Townships</u>			<u>Towns</u>		
Brock	86.598	13.402	Capreol	50.843	49.157
Scugog	84.466	15.534	Nickel Centre	45.619	54.381
Uxbridge	84.162	15.838	Onaping Falls	60.143	39.857
<b>REGIONAL MUNICIPALITY OF HALDIMAND-NORFOLK</b>			Rayside-Balfour	34.113	65.887
<u>Cities</u>			Valley East	40.649	59.351
Nanticoke-Haldimand Board of Education	81.822	18.178	Walden	62.519	37.481
Nanticoke-Norfolk Board of Education	88.193	11.807	<b>REGIONAL MUNICIPALITY OF WATERLOO</b>		
<u>Towns</u>			<u>Cities</u>		
Dunnville	88.389	11.611	Cambridge	73.685	26.315
Haldimand	85.835	14.165	Kitchener	73.634	26.366
Simcoe	82.626	17.374	Waterloo	77.259	22.741
<u>Townships</u>			<u>Townships</u>		
Delhi	70.552	29.448	North Dumfries	79.646	20.354
Norfolk	72.470	27.530	Wellesley	77.308	22.692
<b>REGIONAL MUNICIPALITY OF HALTON</b>			Wilmot	81.581	18.419
<u>City</u>			Woolwich	81.372	18.628
Burlington	75.978	24.022	<b>REGIONAL MUNICIPALITY OF YORK</b>		
<u>Towns</u>			<u>City</u>		
Halton Hills	79.276	20.724	Vaughan	57.527	42.473
Milton	76.142	23.858	<u>Towns</u>		
Oakville	74.091	25.909	Aurora	74.527	25.473
<b>REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH</b>			East Gwillimbury	78.716	21.284
<u>Cities</u>			Georgina	80.363	19.637
Hamilton	70.662	29.338	Markham	73.630	26.370
Stoney Creek	63.711	36.289	Newmarket	74.742	25.258
<u>Towns</u>			Richmond Hill	71.646	28.354
Ancaster	73.188	26.812	Whitchurch-Stouffville	77.605	22.395
Dundas	77.307	22.693	<u>Township</u>		
Flamborough	79.085	20.915	King	73.479	26.521
<u>Township</u>			<b>DISTRICT MUNICIPALITY OF MUSKOKA</b>		
Glanbrook	76.892	23.108	<u>Towns</u>		
<b>REGIONAL MUNICIPALITY OF NIAGARA</b>			Bracebridge	91.066	8.934
<u>Cities</u>			Gravenhurst	91.744	8.256
Niagara Falls	66.351	33.649	Huntsville	91.200	8.800
Port Colborne	68.679	31.321	<u>Townships</u>		
St. Catharines	74.991	25.009	Georgian Bay-Muskoka Board of Education	84.075	15.925
Thorold	60.322	39.678	Georgian Bay-West Parry Sound Board of Education	87.322	12.678
Welland	66.157	33.843	Lake of Bays	92.534	7.466
			Muskoka Lakes	92.546	7.454



## SCHEDULE 1

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
COUNTY OF BRANT			Belmont	88.293	11.707
<u>City</u>			Dutton	91.725	8.275
Brantford	77.993	22.007	Port Burwell	90.820	9.180
<u>Town</u>			Port Stanley	89.600	10.400
Paris	83.484	16.516	Springfield	91.631	8.369
<u>Townships</u>			Vienna	93.747	6.253
Brantford	80.920	19.080	West Lorne	71.570	28.430
Burford	75.384	24.616	<u>Townships</u>		
Oakland	73.893	26.107	Aldborough	80.658	19.342
Onondaga	85.838	14.162	Bayham	87.185	12.815
South Dumfries	85.716	14.284	Dunwich	87.796	12.204
COUNTY OF BRUCE			Malahide	83.321	16.679
<u>Towns</u>			South Dorchester	89.559	10.441
Chesley	91.258	8.742	Southwold	88.202	11.798
Kincardine	84.534	15.466	Yarmouth	87.210	12.790
Port Elgin	83.909	16.091	COUNTY OF ESSEX		
Southampton	85.214	14.786	<u>City</u>		
Walkerton	65.916	34.084	Windsor	60.935	39.065
Wiaarton	91.505	8.495	<u>Towns</u>		
<u>Villages</u>			Amherstburg	54.370	45.630
Hepworth	90.681	9.319	Belle River	40.078	59.922
Lion's Head	91.373	8.627	Essex	65.998	34.002
Lucknow	91.581	8.419	Harrow	67.930	32.070
Mildmay	55.377	44.623	Kingsville	70.208	29.792
Paisley	90.651	9.349	LaSalle	51.436	48.564
Tara	91.403	8.597	Leamington	61.551	38.449
Teeswater	70.950	29.050	Tecumseh	46.350	53.650
Tiverton	86.730	13.270	<u>Village</u>		
<u>Townships</u>			St. Clair Beach	48.411	51.589
Albemarle	88.859	11.141	<u>Townships</u>		
Amabel	86.368	13.632	Anderdon	52.906	47.094
Arran	90.823	9.177	Colchester North	59.858	40.142
Brant	77.640	22.360	Colchester South	68.149	31.851
Bruce	89.324	10.676	Gosfield North	72.438	27.562
Carrick	58.966	41.034	Gosfield South	66.014	33.986
Culross	65.376	34.624	Malden	52.044	47.956
Eastnor	89.226	10.774	Mersea	58.978	41.022
Elderslie	91.206	8.794	Pelae	66.595	33.405
Greenock	63.768	36.232	Rochester	78.119	21.881
Huron	86.585	13.415	Sandwich South	42.882	57.118
Kincardine	86.950	13.050	Tilbury North	47.889	52.111
Kinloss	90.940	9.060	Tilbury West	41.580	58.420
Lindsay	89.216	10.784		68.591	31.409
Saugeen	85.495	14.505	COUNTY OF FRONTENAC		
St. Edmunds	88.185	11.815	<u>City</u>		
COUNTY OF DUFFERIN			Kingston	79.550	20.450
<u>Towns</u>			<u>Townships</u>		
Orangeville	87.282	12.718	Barrie	87.868	12.132
Shelburne	92.446	7.554	Bedford	84.089	15.911
<u>Townships</u>			Clarendon and Miller	88.822	11.178
Amaranth	87.782	12.218	Hinchinbrooke	86.070	13.930
East Garafraxa	89.484	10.516	Howe Island	67.986	32.014
East Luther Grand Valley	90.850	9.150	Kennebec	89.425	10.575
Melancthon	93.392	6.608	Kingston	76.842	23.158
Mono	87.599	12.401	Loughborough	85.813	14.187
Mulmur	91.356	8.644	Olden	88.250	11.750
COUNTY OF ELGIN			Oso	88.692	11.308
<u>City</u>			Palmerston and North and South Canonto		
St. Thomas	85.080	14.920	Pittsburgh	89.126	10.874
<u>Town</u>			Portland	80.002	19.998
Aylmer	87.252	12.748	Storrington	86.516	13.484
<u>Villages</u>			Wolfe Island	85.480	14.520
				67.263	32.737
			COUNTY OF GREY		

## SCHEDULE 1

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
<u>City</u>			Tudor and Cashel	91.454	8.546
Owen Sound	90.647	9.353	Tyendinaga	76.438	23.562
<u>Towns</u>			Wollaston	89.870	10.130
Durham	92.584	7.416			
Hanover	84.840	15.160	COUNTY OF MURON		
Meaford	95.020	4.980	<u>Towns</u>		
Thornbury	92.482	7.518	Clinton	87.953	12.047
<u>Villages</u>			Exeter	86.194	13.806
Chatsworth	94.706	5.294	Goderich	83.293	16.707
Dundalk	95.134	4.866	Seaforth	76.326	23.674
Flesherton	93.910	6.090	Wingham	88.243	11.757
Markdale	93.746	6.254	<u>Villages</u>		
Neustadt	91.276	8.724	Bayfield	87.628	12.372
Shallow Lake	92.106	7.894	Blyth	91.446	8.554
<u>Townships</u>			Brussels	91.132	8.868
Artemesia	92.706	7.294	Hensall	85.594	14.406
Banting	89.438	10.562	Zurich	66.714	33.286
Collingwood	90.713	9.287	<u>Townships</u>		
Derby	92.709	7.291	Ashfield	81.674	18.326
Egremont	91.528	8.472	Colborne	87.637	12.363
Euphrasia	92.984	7.016	East Wawanosh	89.498	10.502
Glenelg	91.220	8.780	Goderich	87.447	12.553
Holland	92.479	7.521	Grey	85.912	14.088
Keppel	92.502	7.498	Hay	76.672	23.328
Normanby	90.241	9.759	Howick	92.079	7.921
Osprey	94.375	5.625	Hullett	87.000	13.000
Proton	89.330	10.670	McKillop	71.081	28.919
Sarawak	91.056	8.944	Morris	88.288	11.712
St. Vincent	93.564	6.436	Stanley	83.154	16.846
Sullivan	93.957	6.043	Stephen	81.014	18.986
Sydenham	91.972	8.028	Tuckersmith	80.696	19.304
COUNTY OF HALIBURTON			Turnberry	87.084	12.916
<u>Townships</u>			Usborne	86.824	13.176
Bicroft	87.424	12.576	West Wawanosh	85.658	14.342
Cardiff	88.732	11.268	COUNTY OF KENT		
COUNTY OF HASTINGS			<u>City</u>		
<u>Cities</u>			Chatham	68.031	31.969
Belleville	81.791	18.209	<u>Towns</u>		
Trenton	79.129	20.871	Blenheim	74.198	25.802
<u>Towns</u>			Bothwell	78.372	21.628
Bancroft	85.984	14.016	Dresden	82.051	17.949
Deseronto	88.817	11.183	Ridgetown	76.627	23.373
<u>Villages</u>			Tilbury	53.900	46.100
Deloro	71.392	28.608	Wallaceburg	63.829	36.171
Frankford	84.784	15.216	<u>Villages</u>		
Madoc	91.049	8.951	Erle Beach	74.598	25.402
Marmora	82.546	17.454	Erleau	80.318	19.682
Stirling	89.604	10.396	Highgate	84.507	15.493
Tweed	75.106	24.894	Thamesville	79.566	20.434
<u>Townships</u>			Wheatley	86.008	13.992
Bangor, Wicklow and McClure	85.060	14.940	<u>Townships</u>		
Carlow	91.430	8.570	Camden	79.063	20.937
Dungannon	90.238	9.762	Chatham	64.362	35.638
Elzevir and Grimsthorpe	85.610	14.390	Dover	52.130	47.870
Faraday	87.769	12.231	Harwich	70.280	29.720
Herschel	87.026	12.974	Howard	71.128	28.872
Hungerford	75.906	24.094	Orford	77.857	22.143
Huntingdon	89.158	10.842	Raleigh	73.042	26.958
Limerick	90.794	9.206	Romney	83.024	16.976
Madoc	90.206	9.794	Tilbury East	70.618	29.382
Marmora and Lake	83.774	16.226	Zone	68.886	31.114
Mayo	92.778	7.222	COUNTY OF LAMBTON		
Monteagle	87.778	12.222	<u>City</u>		
Rawdon	90.863	9.137	Sarnia	70.420	29.580
Sidney	85.319	14.681	<u>Towns</u>		
Thurlow	85.884	14.116			

## SCHEDULE 1

Column 1	Column 2	Column 3	Column 1	Column 2	Column 3
Bosanquet	77.235	22.765	<u>Towns</u>		
Forest	79.488	20.512	Parkhill	83.044	16.956
Petrolia	76.933	23.067	Strathroy	77.222	22.778
<u>Villages</u>			<u>Villages</u>		
Alvinston	86.959	13.041	Ailsa Craig	91.008	8.992
Arkona	79.169	20.831	Glencoe	85.849	14.151
Grand Bend	82.411	17.589	Lucan	84.568	15.432
Oil Springs	85.963	14.037	Newbury	85.179	14.821
Point Edward	74.844	25.156	Wardsville	85.014	14.986
Thedford	86.085	13.915	<u>Townships</u>		
Watford	78.891	21.109	Adelaide	72.115	27.885
Wyoming	76.120	23.880	Biddulph	75.579	24.421
<u>Townships</u>			Caradoc	81.055	18.945
Brooke	79.579	20.421	Delaware	77.687	22.313
Dawn	87.303	12.697	East Williams	78.999	21.001
Enniskillen	80.478	19.522	Ekfrid	85.544	14.456
Euphemia	80.465	19.535	Lobo	84.558	15.442
Moors	76.567	23.433	London	83.794	16.206
Plympton	76.226	23.774	McGillivray	76.880	23.120
Sombra	72.892	27.108	Metcalfe	85.992	14.008
Warwick	63.363	36.637	Mosa	84.044	15.956
COUNTY OF LANARK			North Dorchester	82.645	17.355
<u>Separated Town</u>			West Niasouri	86.170	13.830
Smiths Falls	83.125	16.875	West Williams	66.473	33.527
<u>Towns</u>			COUNTY OF NORTHUMBERLAND		
Almonte	80.936	19.064	<u>Towns</u>		
Carleton Place	83.402	16.598	Brighton	90.760	9.240
Perth	81.860	18.140	Campbellford	87.754	12.246
<u>Village</u>			Cobourg	85.064	14.936
Lanark	83.070	16.930	Port Hope	86.553	13.447
<u>Townships</u>			<u>Villages</u>		
Bathurst	87.226	12.774	Colborne	88.514	11.486
Beckwith	85.784	14.216	Hastings	84.720	15.280
Darling	87.507	12.493	<u>Townships</u>		
Drummond	86.837	13.163	Alnwick	87.517	12.483
Lanark	87.372	12.628	Brighton	89.530	10.470
Lavant, Dalhousie and North Sherbrooke	85.817	14.183	Cramahe	89.835	10.165
Montague	85.739	14.261	Haldimand	84.623	15.377
North Burgess	82.278	17.722	Hamilton	86.937	13.063
North Elmsley	83.923	16.077	Hope	88.205	11.795
Pakenham	87.744	12.256	Murray	84.466	15.534
Ramsay	83.550	16.450	Percy	89.772	10.228
South Sherbrooke	87.366	12.634	Seymour	88.144	11.856
COUNTY OF LENNOX AND ADDINGTON			COUNTY OF OXFORD		
<u>Town</u>			<u>City</u>		
Napanee	88.691	11.309	Woodstock	85.791	14.209
<u>Villages</u>			<u>Towns</u>		
Bath	86.297	13.703	Ingersoll	86.018	13.982
Newburgh	89.215	10.785	Tillsonburg	81.310	18.690
<u>Townships</u>			<u>Townships</u>		
Adolphustown	90.039	9.961	Blandford-Blenheim	88.790	11.210
Amherst Island	90.677	9.323	East Zorra-Tavistock	92.346	7.654
Camden East	87.313	12.687	Norwich	87.112	12.888
Denbigh, Abinger and Ashby	93.017	6.983	South-West Oxford	87.555	12.445
Ernestown	84.867	15.133	Zorra	87.360	12.640
Kaladar, Anglesea and Effingham	92.285	7.715	COUNTY OF PERTH		
North Fredericksburgh	88.376	11.624	<u>City</u>		
Richmond	89.413	10.587	Stratford	83.648	16.352
Sheffield	82.054	17.946	<u>Separated Town</u>		
South Fredericksburgh	90.067	9.933	St. Marys	84.274	15.726
COUNTY OF MIDDLESEX			<u>Towns</u>		
<u>City</u>			Listowel	91.347	8.653
London	80.187	19.813	Mitchell	86.036	13.964
			<u>Village</u>		



## SCHEDULE 1

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
Milverton	91.369	8.631	Killaloe	59.530	40.470
<u>Townships</u>			Petawawa	68.544	31.456
Blanshard	86.236	13.764	<u>Townships</u>		
Downie	79.535	20.465	Admaston	68.721	31.279
Ellice	74.204	25.796	Alice and Fraser	73.704	26.296
Elma	90.732	9.268	Bagot and Blithfield	74.158	25.842
Fullarton	88.200	11.800	Bromley	61.897	38.103
Hibbert	70.254	29.746	Brougham	70.272	29.728
Logan	79.048	20.952	Brudenell and Lyndoch	70.960	29.040
Mornington	86.811	13.189	Grattan	67.338	32.662
North Easthope	90.152	9.848	Griffith and Matawatchan	71.408	28.592
South Easthope	87.381	12.619	Hagarty and Richards	62.411	37.589
Wallace	91.490	8.510	Head, Clara and Maria	67.150	32.850
COUNTY OF PETERBOROUGH			Horton	72.198	27.802
<u>City</u>			McNab	75.725	24.275
Peterborough	78.759	21.241	North Algona	70.694	29.306
<u>Villages</u>			Pembroke	65.842	34.158
Havelock	88.978	11.022	Petawawa	70.498	29.502
Lakefield	85.220	14.780	Radcliffe	56.873	43.127
Millbrook	88.522	11.478	Raglan	80.201	19.799
Norwood	84.790	15.210	Rolph, Buchanan, Wylie, and McKay	68.984	31.016
<u>Townships</u>			Ross	83.650	16.350
Asphodel	80.617	19.383	Sebastopol	71.040	28.960
Belmont and Methuen	87.547	12.453	Sherwood, Jones and Burns	51.790	48.210
Burleigh and Anstruther	87.614	12.386	South Algona	74.764	25.236
Cavan	87.211	12.789	Stafford	68.580	31.420
Chandos	87.614	12.386	Westmeath	73.376	26.624
Douro	72.524	27.476	Wilberforce	76.680	23.320
Dummer	86.760	13.240	COUNTY OF SIMCOE		
Ennismore	77.032	22.968	<u>Cities</u>		
Galway and Cavendish	86.800	13.200	Barrie	81.768	18.232
Harvey	86.270	13.730	Orillia	82.579	17.421
North Monaghan	84.689	15.311	<u>Towns</u>		
Otonabee	79.552	20.448	Bradford West Gwillimbury	74.045	25.955
Smith	83.897	16.103	Collingwood	85.498	14.502
South Monaghan	86.047	13.953	Innisfil	84.761	15.239
COUNTY OF PRINCE EDWARD			Midland	76.806	23.194
<u>Town</u>			New Tecumseth	80.994	19.006
Picton	90.428	9.572	Penetanguishene	71.843	28.157
<u>Villages</u>			Wasaga Beach	80.968	19.032
Bloomfield	94.262	5.738	<u>Townships</u>		
Wellington	93.938	6.062	Adjala and Toscorontio	78.421	21.579
<u>Townships</u>			Clearview	86.519	13.481
Ameliasburgh	88.270	11.730	Essa	81.896	18.104
Athol	92.122	7.878	Oro-Medonte	86.510	13.490
Hallowell	92.414	7.586	Ramara	82.810	17.190
Hillier	92.838	7.162	Severn	84.975	15.025
North Marysburgh	91.782	8.218	Springwater	82.998	17.002
Sophiasburgh	93.162	6.838	Tay	80.558	19.442
South Marysburgh	94.063	5.937	Tiny	74.991	25.009
COUNTY OF RENFREW			COUNTY OF VICTORIA		
<u>City</u>			<u>Town</u>		
Pembroke	63.824	36.176	Lindsay	88.314	11.686
<u>Towns</u>			<u>Villages</u>		
Arnprior	69.964	30.036	Bobcaygeon	93.323	6.677
Deep River	72.987	27.013	Fenelon Falls	92.660	7.340
Renfrew	64.874	35.126	Onemees	91.418	8.582
<u>Villages</u>			Sturgeon Point	90.415	9.585
Barry's Bay	41.531	58.469	Woodville	94.313	5.687
Beachburg	81.424	18.576	<u>Townships</u>		
Braeside	72.590	27.410	Bexley	90.332	9.668
Chalk River	59.300	40.700	Carden	88.951	11.049
Cobden	83.941	16.059	Dalton	92.515	7.485
Eganville	72.066	27.934	Eldon	90.179	9.821
			Emily	82.373	17.627

## SCHEDULE 1

Column 1	Column 2	Column 3	Column 1	Column 2	Column 3
Fenelon	90.887	9.113	UNITED COUNTIES OF STORMONT, DUNDAS AND GLENGARRY		
Laxton, Digby and Longford	91.347	8.653			
Manvers	90.111	9.889	<u>City</u>		
Mariposa	90.715	9.285	Cornwall	46.218	53.782
Ops	87.166	12.834	<u>Town</u>		
Somerville	90.427	9.573	Alexandria	34.022	65.978
Verulam	92.318	7.682	<u>Villages</u>		
			Chesterville	70.080	29.920
COUNTY OF WELLINGTON			Finch	72.398	27.602
<u>City</u>			Iroquois	75.112	24.888
Guelph	77.320	22.680	Lancaster	59.290	40.710
<u>Towns</u>			Maxville	67.876	32.124
Fergus	86.020	13.980	Morrisburg	74.907	25.093
Harriston	90.403	9.597	Winchester	78.508	21.492
Mount Forest	82.113	17.887	<u>Townships</u>		
Palmerston	89.764	10.236	Charlottenburgh	54.796	45.204
<u>Villages</u>			Cornwell	53.094	46.906
Arthur	80.233	19.767	Finch	52.136	47.864
Clifford	89.290	10.710	Kenyon	54.384	45.616
Drayton	89.270	10.730	Lancaster	51.986	48.014
Elora	82.596	17.404	Lochiel	52.862	47.138
Erin	86.058	13.942	Matilda	76.781	23.219
<u>Townships</u>			Mountain	77.404	22.596
Arthur	81.594	18.406	Osnabrock	71.041	28.959
Eramosa	85.392	14.608	Roxborough	57.430	42.570
Erin	85.687	14.313	Williamsburgh	75.228	24.772
Guelph	76.682	23.318	Winchester	68.538	31.462
Maryborough	87.458	12.542			
Minto	87.161	12.839	DISTRICT OF ALGOMA		
Nichol	83.752	16.248	<u>Cities</u>		
Peel	88.264	11.736	Elliot Lake	66.432	33.568
Pilkington	83.222	16.778	Sault Ste. Marie	61.538	38.462
Puslinch	84.080	15.920	<u>Town</u>		
West Garafraxa	86.802	13.198	Blind River	58.164	41.836
West Luther	84.371	15.629	<u>Village</u>		
			Iron Bridge	82.390	17.610
UNITED COUNTIES OF LEEDS AND GRENVILLE			<u>Townships</u>		
<u>City</u>			Day and Bright Additional	81.690	18.310
Brockville	82.320	17.680	Dubreuilville	13.642	86.358
<u>Separated Towns</u>			Hornepayne	76.458	23.542
Gananoque	80.306	19.694	Johnson	97.465	2.535
Prescott	79.645	20.355	Laird	97.128	2.872
<u>Town</u>			MacDonald, Meredith and Aberdeen Additional		
Kemptville	79.849	20.151		97.517	2.483
<u>Villages</u>			Michipicotan	63.918	36.082
Athens	90.641	9.359	Prince	69.016	30.984
Cardinal	88.229	11.771	Shedden	60.828	39.172
Merrickville	87.328	12.672	Tarbutt and Tarbutt Additional	95.675	4.325
Newboro'	85.595	14.405	The North Shore	68.498	31.502
Westport	76.051	23.949	Thompson	76.136	23.864
<u>Townships</u>			White River	59.381	40.619
Augusta	85.819	14.181			
Bastard and South Burgess	89.447	10.553	DISTRICT OF COCHRANE		
Edwardsburg	84.249	15.751	<u>City</u>		
Elizabethtown	86.697	13.303	Timmins	46.403	53.597
Front of Escott	88.591	11.409	<u>Towns</u>		
Front of Leeds and Lansdowne	84.599	15.401	Cochrane	47.068	52.932
Front of Yonge	87.848	12.152	Hearst	15.251	84.749
Kitley	81.505	18.495	Iroquois Falls	46.861	53.139
North Crosby	81.494	18.506	Kapuskasing	26.820	73.180
Oxford (on Rideau)	82.158	17.842	Smooth Rock Falls	21.575	78.425
Rear of Leeds and Lansdowne	88.415	11.585	<u>Townships</u>		
Rear of Yonge and Escott	88.467	11.533	Black River-Matheson	59.301	40.699
South Crosby	89.241	10.759	Fauquier-Strickland	12.415	87.585
South Elmsley	84.438	15.562	Glackmeyer	49.719	50.281
South Gower	80.200	19.800	Mattice-Val Cote	12.968	87.032
Wolford	88.146	11.854	Moonbeam	20.402	79.598
			Opasatika	13.011	86.989



## SCHEDULE 1

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
Val Rita-Harty	25.918	74.082	McDougall	96.534	3.466
DISTRICT OF KENORA			McKellar	96.899	3.101
<u>Towns</u>			McMurrich	93.855	6.145
Dryden	80.421	19.579	Nipissing	88.084	11.916
Jaffray Melick	76.710	23.290	North Himsworth	85.988	14.012
Keewatin	79.005	20.995	Perry	92.510	7.490
Kenora	78.071	21.929	Ryerson	94.831	5.169
Sioux Lookout	74.782	25.218	South Himsworth	85.804	14.196
<u>Townships</u>			Strong	95.528	4.472
Barclay	82.358	17.642	DISTRICT OF RAINY RIVER		
Ear Falls	94.075	5.925	<u>Towns</u>		
Golden	90.160	9.840	Fort Frances	77.077	22.923
Ignace	91.021	8.979	Rainy River	84.249	15.751
Machin	90.009	9.991	<u>Townships</u>		
Red Lake	82.301	17.699	Alberton	84.407	15.593
Sioux Narrows	86.026	13.974	Atikokan	74.152	25.848
DISTRICT OF MANITOULIN			Atwood	85.183	14.817
<u>Town</u>			Blue	88.645	11.355
Little Current	94.779	5.221	Chappia	89.148	10.852
<u>Township</u>			Dilke	66.966	33.034
Rutherford and George Island	48.078	51.922	Emo	87.806	12.194
DISTRICT OF NIPISSING			La Vallee	88.552	11.448
<u>City</u>			McCrosen and Tovell	88.860	11.140
North Bay	61.551	38.449	Morley	77.695	22.305
<u>Towns</u>			Morson	85.274	14.726
Cache Bay	42.257	57.743	Worthington	79.796	20.204
Kearney	90.232	9.768	DISTRICT OF SUDBURY		
Mattawa	41.726	58.274	<u>Towns</u>		
Sturgeon Falls	34.763	65.237	Espanola	60.472	39.528
<u>Townships</u>			Massey	68.078	31.922
Airy	44.104	55.896	Webbwood	72.822	27.178
Bonfield	57.740	42.260	<u>Townships</u>		
Caldwell	28.012	71.988	Baldwin	59.334	40.666
Calvin	73.867	26.133	Casimir, Jennings and Appleby	36.928	63.072
Chisholm	75.950	24.050	Chapleau	42.868	57.132
East Ferris	60.128	39.872	Cosby, Mason and Martland	38.199	61.801
Field	40.176	59.824	Hagar	42.241	57.759
Mattawan	70.231	29.769	Nairn	78.409	21.591
Papineau	54.171	45.829	Ratter and Dunnet	39.391	60.609
Springer	36.685	63.315	The Spanish River	73.252	26.748
Temagami	82.952	17.048	DISTRICT OF THUNDER BAY		
DISTRICT OF PARRY SOUND			<u>City</u>		
<u>Towns</u>			Thunder Bay	67.666	32.334
Kearney	90.232	9.768	<u>Towns</u>		
Parry Sound	94.692	5.308	Geraldton	63.324	36.676
Powassan	82.616	17.384	Longlac	49.824	50.176
Trout Creek	77.668	22.332	Marathon	76.681	23.319
<u>Villages</u>			<u>Townships</u>		
Burk's Falls	95.808	4.192	Beardmore	77.075	22.925
Magnetawan	95.931	4.069	Conmee	82.121	17.879
Rosseau	98.678	1.322	Dorion	88.629	11.371
South River	95.714	4.286	Gillies	85.227	14.773
Sundridge	95.791	4.209	Manitouwadge	63.807	36.193
<u>Townships</u>			Nakina	80.301	19.699
Armour	94.374	5.626	Neebing	81.861	18.139
Carling	96.849	3.151	Nipigon	71.244	28.756
Chapman	94.447	5.553	Oliver	81.006	18.994
Christie	97.175	2.825	O'Connor	82.910	17.090
Foley	97.031	2.969	Paipoonga	78.138	21.862
Humphrey	97.770	2.230	Red Rock	69.658	30.342
Joly	95.587	4.413	Schreiber	55.974	44.026
Machar	94.549	5.451	Shuniah	78.385	21.615
			Terrace Bay	66.378	33.622



## SCHEDULE 1

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
DISTRICT OF TIMISKAMING					
<u>Towns</u>			East Parry Sound (Monteith)	100.000	0.000
Charlton	78.240	21.760	West Parry Sound (Henvey, Wallbridge)	99.308	0.692
Cobalt	58.283	41.717			
Englehart	76.654	23.346	DISTRICT OF RAINY RIVER		
Haileybury	57.554	42.446	<u>Board of Education</u>		
Kirkland Lake	61.723	38.277	Fort Frances-Rainy River	86.940	13.060
Latchford	70.353	29.647			
New Liskeard	58.830	41.170	DISTRICT OF SUDBURY		
<u>Village</u>			<u>Boards of Education</u>		
Thornloe	47.392	52.608	Chapleau	43.294	56.706
<u>Townships</u>			Espanola	74.469	25.531
Armstrong	32.582	67.418	Sudbury	53.802	46.198
Brathour	64.365	35.635	<u>District School Areas</u>		
Casey	35.038	64.962	Foleyet	50.268	49.732
Chamberlain	80.616	19.384	Gogama	35.530	64.470
Coleman	65.999	34.001			
Dack	80.062	19.938	DISTRICT OF THUNDER BAY		
Dymond	50.102	49.898	<u>Boards of Education</u>		
Evanturel	64.645	35.355	Beardmore, Geraldton, Longlac and Area	72.750	27.250
Gauthier	55.952	44.048	Lake Superior	75.521	24.479
Harley	63.250	36.750	Lakehead	83.177	16.823
Harris	62.258	37.742	Nipigon-Red Rock	85.492	14.508
Hilliard	69.534	30.466			
Hudson	73.279	26.721	DISTRICT OF TIMISKAMING		
James	70.116	29.884	<u>Boards of Education</u>		
Kerns	75.805	24.195	Kirkland Lake	72.624	27.376
Larder Lake	61.414	38.586	Timiskaming	77.913	22.087
Matachewan	64.138	35.862			
McGarry	42.049	57.951			
DISTRICT OF ALGOMA					
<u>Boards of Education</u>					
Michipicoten	69.019	30.981			
North Shore	75.595	24.405			
Sault Ste. Marie	76.984	23.016			
DISTRICT OF COCHRANE					
<u>Boards of Education</u>					
Cochrane-Iroquois Falls Black River Matheson	59.415	40.585			
Hearst	25.097	74.903			
Kapuskasing	29.262	70.738			
<u>District School Area</u>					
Moosonee Development Area Board	78.320	21.680			
DISTRICT OF KENORA					
<u>Boards of Education</u>					
Dryden	83.704	16.296			
Kenora	85.653	14.347			
Red Lake	93.119	6.881			
DISTRICT OF NIPISSING					
<u>Boards of Education</u>					
Nipissing Board	57.610	42.390			
Timiskaming Board	84.351	15.649			
<u>District School Areas</u>					
Airy and Sabine	73.946	26.054			
Murchison and Lyell	66.338	33.662			
DISTRICT OF PARRY SOUND					
<u>Boards of Education</u>					
East Parry Sound (Laurier)	95.419	4.581			
East Parry Sound (Lount, Patterson, Pringle)	100.00	0.000			

## SCHEDULE 2

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>	<u>Column 5</u>
<u>Cities</u>				
Gloucester	58.436	23.077	3.362	15.125
Kanata	70.251	23.157	1.160	5.432
Nepean	68.143	25.098	1.404	5.355
Ottawa	68.702	19.404	3.417	8.477
Vanier	42.388	23.548	6.273	27.791
<u>Village</u>				
Rockcliffe Park	76.450	15.535	3.224	4.791
<u>Townships</u>				
Cumberland	53.171	23.282	4.058	19.489
Goulbourn	71.712	22.306	1.118	4.864
Osgoode	66.745	26.096	1.320	5.839
Rideau	72.616	21.694	1.165	4.525
West Carleton	74.065	19.997	1.168	4.770

## SCHEDULE 3

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Towns</u>			
Hawkesbury	25.191	65.024	9.785
Rockland	28.044	60.782	11.174
Vankleek Hill	50.304	39.911	9.785
<u>Villages</u>			
Alfred	14.494	78.767	6.739
Casselman	16.024	77.826	6.150
L'Orignal	23.752	67.402	8.846
Plantagenet	21.325	70.510	8.165
St. Isidore	12.445	82.978	4.577
<u>Townships</u>			
Alfred	22.708	67.545	9.747
Caledonia	34.745	55.058	10.197
Cambridge	21.561	67.960	10.479
Clarence	22.764	65.683	11.553
East Hawkesbury	36.133	53.576	10.291
Longueuil	29.033	61.800	9.167
North Plantagenet	27.015	62.418	10.567
Russell	33.860	52.911	13.229
South Plantagenet	26.277	61.408	12.315
West Hawkesbury	41.302	49.863	8.835

**ONTARIO REGULATION 278/96**  
made under the  
**DEVELOPMENT CORPORATIONS ACT**

Made: June 19, 1996  
Filed: June 21, 1996

Amending Reg. 269 of R.R.O. 1990  
(Innovation Ontario Corporation)

Note: Regulation 269 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Subsection 13 (1) of Regulation 269 of the Revised Regulations of Ontario, 1990 is amended by striking out "1996" in the second line and substituting "1998".**

27/96

**ONTARIO REGULATION 279/96**  
made under the  
**PHARMACY ACT**

Made: January 10, 1996  
Approved: June 19, 1996  
Filed: June 21, 1996

Revoking O. Reg. 838/93  
(Registration)

**1. Ontario Regulation 838/93 is revoked.**

COUNCIL OF THE ONTARIO COLLEGE OF PHARMACISTS:

LAUREEN BRUNI  
*President*

A. J. DUNSDON  
*Registrar*

Dated at Toronto on January 10, 1996.

27/96

**ONTARIO REGULATION 280/96**  
made under the  
**PHARMACY ACT**

Made: June 1, 1996  
Approved: June 19, 1996  
Filed: June 21, 1996

Amending O. Reg. 202/94  
(General)

Note: Ontario Regulation 202/94 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Ontario Regulation 202/94 is amended by adding the following section:**

**3.1** Only a member who holds a certificate of registration as a pharmacist may vote in an election to the Council.

**2. Section 6 of the Regulation is amended by adding the following clause:**

(f) the member is not a registered pharmacy student or intern.

**3. The Regulation is amended by adding the following section:**

**23.1** (1) The fee for the issuance of a certificate of registration as a pharmacist is the applicable annual fee and,

(a) for an applicant who is the holder of the degree of Bachelor of Science in Pharmacy from the University of Toronto, \$200.00;

(b) for a person whose certificate of registration was revoked for professional misconduct, incompetence or incapacity, and who is subsequently eligible for a certificate of registration, \$200.00; or

(c) for an applicant other than an applicant referred to in clause (a) or (b), \$400.00.

(2) The fee for the issuance of a certificate of registration as a registered pharmacy student is \$25.00.

(3) The fee for the issuance of a certificate of registration as an intern is \$50.00.

**4. The Regulation is amended by adding the following Parts:**

**PART IV**  
**REGISTRATION**

**GENERAL**

**25.** The following are prescribed as classes of certificates of registration:

1. Pharmacist.
2. Registered pharmacy student.
3. Intern.

**26.** A person may apply for a certificate of registration by submitting a completed application in the form provided by the Registrar together with the applicable fee.

**27.** A member shall return his or her certificate of registration to the Registrar on request if the certificate is suspended or revoked or the member resigns.

**CERTIFICATE OF REGISTRATION—ANY CLASS**

**28.** (1) The following are requirements for the issuance of a certificate of registration of any class:

1. The applicant must be able to speak and write in English or French with reasonable fluency.
2. The applicant must not have been found guilty of an offence under any Act regulating the practice of pharmacists or relating to the sale of drugs, or of any criminal offence.
3. The applicant must not be the subject of a current proceeding relating to an offence under any Act regulating the practice of pharmacists or relating to the sale of drugs, or relating to any criminal offence.



4. The applicant must not have been the subject of a finding of professional misconduct, incompetence or incapacity in Ontario or any other jurisdiction in relation to pharmacy or any other health profession and must not be the subject of any current professional misconduct, incompetence, or incapacity proceeding in Ontario or any other jurisdiction in relation to pharmacy or any other health profession.

5. The applicant must be a Canadian citizen or must hold the appropriate authorization under the *Immigration Act* (Canada) to permit the applicant to engage in the practice of pharmacy in Canada as a pharmacist, registered pharmacy student or intern.

(2) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant makes a false or misleading statement or representation in his or her application.

(3) Every certificate of registration is subject to the condition that the member shall provide the Registrar with the details of any of the following that relate to the member and that occur or arise after the registration of the member:

1. A charge relating to an offence under any Act regulating the practice of pharmacists or relating to the sale of drugs, or relating to any criminal offence.
2. A finding of guilt in relation to an offence under any Act regulating the practice of pharmacists or relating to the sale of drugs or in relation to any criminal offence.
3. A finding of professional misconduct, incompetence or incapacity in any jurisdiction in relation to pharmacy or any other health profession.
4. A proceeding for professional misconduct, incompetence or incapacity in any jurisdiction in relation to pharmacy or any other health profession.

#### CERTIFICATE OF REGISTRATION AS PHARMACIST

29. (1) The following are additional requirements for the issuance of a certificate of registration as a pharmacist:

1. The applicant must have the degree of Bachelor of Science in Pharmacy from the University of Toronto, such other degree in pharmacy as the Council considers equivalent to that degree, or a degree in pharmacy that is required for the holder of the degree to become eligible to write the examinations of the Pharmacy Examining Board of Canada.
2. The applicant must have successfully completed an examination in pharmaceutical jurisprudence approved by the Council.
3. The applicant must hold a certificate of qualification issued by the Pharmacy Examining Board of Canada.
4. The applicant must have successfully completed,
  - i. 48 weeks of in-service training approved by the Council while registered as a registered pharmacy student or intern, or
  - ii. other training of such duration and content as the Council considers equivalent to the training referred to in subparagraph i.
5. If the application for registration as a pharmacist is submitted more than three years after the applicant obtained the degree referred to in paragraph 1, the applicant must have successfully completed such additional in-service training as the Registration

Committee may specify, unless the applicant has practised as a pharmacist in a pharmacy or hospital in any jurisdiction during the three years immediately preceding the submission of the application.

(2) The training referred to in paragraph 4 of subsection (1) must be completed,

- (a) within three years after obtaining the degree referred to in paragraph 1 of subsection (1), unless the applicant was previously registered or licensed as a pharmacist in a jurisdiction other than Ontario; and
- (b) within three years after the training was commenced.

#### CERTIFICATE OF REGISTRATION AS REGISTERED PHARMACY STUDENT

30. (1) The following are additional requirements for the issuance of a certificate of registration as a registered pharmacy student:

1. The applicant,

- i. must have been accepted as a student in the Faculty of Pharmacy of the University of Toronto,
- ii. must have been accepted as a student in pharmacy at a university whose degree is considered by the Council to be equivalent to the degree of Bachelor of Science in Pharmacy from the University of Toronto, or
- iii. must have obtained, in a jurisdiction other than Ontario, a degree in pharmacy that is required for the holder of the degree to become eligible to write the examinations of the Pharmacy Examining Board of Canada, and must have successfully completed such additional training as is required for the holder of that degree to become eligible to write the examinations of the Pharmacy Examining Board of Canada.

2. The applicant must have been accepted by a preceptor acceptable to the Registration Committee.

(2) The holder of a certificate of registration as a registered pharmacy student shall be deemed to have resigned as a registered pharmacy student when,

- (a) the student is granted the degree of Bachelor of Science in Pharmacy by the University of Toronto or such other degree in pharmacy as the Council considers equivalent to that degree; and
- (b) the student satisfactorily completes 32 weeks of in-service training approved by the Council.

(3) The holder of a certificate as a registered pharmacy student shall be deemed to have resigned as a registered pharmacy student if,

- (a) the holder of the certificate fails within one year after registration as a registered pharmacy student to commence the courses of study leading to the degree of Bachelor of Science in Pharmacy from the University of Toronto or such other degree in pharmacy as the Council considers equivalent to that degree;
- (b) the holder of the certificate fails to attend the courses of study referred to in clause (a) for two consecutive years after having commenced them; or
- (c) for any reason, the holder of the certificate is refused readmission to a course of study referred to in clause (a).

(4) Subsection (3) does not apply to the holder of a certificate who,



- (a) has obtained, in a jurisdiction other than Ontario, a degree in pharmacy that is required for the holder of the degree to become eligible to write the examinations of the Pharmacy Examining Board of Canada; and
- (b) has successfully completed such additional training as is required for the holder of that degree to become eligible to write the examinations of the Pharmacy Examining Board of Canada.

#### CERTIFICATE OF REGISTRATION AS INTERN

31. The following are additional requirements for the issuance of a certificate of registration as an intern:

1. The applicant,
  - i. must have been granted the degree of Bachelor of Science in Pharmacy by the University of Toronto,
  - ii. must have been granted a degree in pharmacy that the Council considers equivalent to the degree of Bachelor of Science in Pharmacy from the University of Toronto, or
  - iii. must have obtained, in a jurisdiction other than Ontario, a degree in pharmacy that is required for the holder of the degree to become eligible to write the examinations of the Pharmacy Examining Board of Canada, and must have successfully completed such additional training as is required for the holder of that degree to become eligible to write the examinations of the Pharmacy Examining Board of Canada.
2. The applicant must have satisfactorily completed,
  - i. at least 32 weeks of in-service training approved by Council; or
  - ii. other training of such duration and content as the Council considers equivalent to the training referred to in subparagraph i.
3. The applicant must have been accepted by a preceptor acceptable to the Registration Committee.

#### CERTIFICATE OF REGISTRATION AS REGISTERED PHARMACY STUDENT OR INTERN

32. The holder of a certificate as a registered pharmacy student or intern shall be deemed to have resigned as a registered pharmacy student or intern if,

- (a) the holder of the certificate has obtained the degree of Bachelor of Science in Pharmacy from the University of Toronto or such other degree in pharmacy as the Council considers equivalent to that degree, was not previously registered or licensed as a pharmacist in a jurisdiction other than Ontario, and fails to complete the training described in paragraph 4 of subsection 29 (1) within three years after obtaining the degree; or
- (b) the holder of the certificate fails to complete the training described in paragraph 4 of subsection 29 (1) within three years of having commenced the training.

#### PART V THE REGISTER

33. (1) In addition to the information set out in subsection 23 (2) of the Health Professions Procedural Code, the following information in respect of each member shall be kept in the register:

1. The result of every professional misconduct, incompetence or incapacity proceeding outside Ontario in which the member,
  - i. was found to have committed an act of professional misconduct that would, in the opinion of the Registrar, be an act of professional misconduct as defined in the regulations made under the *Pharmacy Act, 1991*, or
  - ii. was found to be incompetent or incapacitated.
2. If a result referred to in paragraph 1 is under appeal, a notation that it is under appeal.
3. If an allegation of professional misconduct or incompetence against a member has been referred to the Discipline Committee and not yet decided,
  - i. a summary of the allegation,
  - ii. an indication that the matter has been referred to the Discipline Committee, and
  - iii. the intended date of the hearing, if the date has been set.
4. If the member makes a request under subsection (2), a summary of the result of the proceeding before the Discipline Committee.
5. If the member is designated as the manager of a pharmacy under clause 146 (1) (b) of the *Drug and Pharmacies Regulation Act*, a notation of that fact and the address and telephone number of the pharmacy.

(2) The information referred to in paragraph 3 of subsection (1) shall be deleted when the Discipline Committee issues its decision unless the member requests the Registrar not to delete it.

(3) When an appeal referred to in paragraph 2 of subsection (1) is finally disposed of, the notation added to the Register under that paragraph shall be removed.

34. For the purpose of paragraph 4 of subsection 23 (3) of the Health Professions Procedural Code, the following information is designated as public:

1. The information referred to in paragraphs 2, 3, 4 and 5 of subsection 33 (1).
2. The result of every proceeding referred to in paragraph 1 of subsection 33 (1) completed within six years before the time the register was prepared or last updated, or, in the case of a proceeding in which the member was found to have committed sexual abuse, completed at any time before the register was prepared or last updated.

35. (1) Every member, at the time of payment of his or her annual fee and at any other time within seven days after a request by the Registrar, shall file with the Registrar a signed statement setting out the member's home address and the location of the member's place of practice.

(2) Every member shall notify the Registrar of any change in the information required under subsection (1) within seven days of the change.

#### PART VI NOTICES OF MEETINGS AND HEARINGS

36. (1) The Registrar shall ensure that notice of every Council meeting that is required to be open to the public under the Act is given in accordance with this section.

(2) The notice must be published at least fourteen days before the date of the meeting in a daily newspaper of general circulation throughout Ontario.

(3) The notice must be in English and French.

(4) The notice must contain the following information:

1. The date, time and place of the meeting.
2. A statement of the purpose of the meeting.

(5) The Registrar shall provide the information contained in the notice to every person who requests it by telephone.

37. (1) The Registrar shall ensure that the information concerning an impending hearing by a panel of the Discipline Committee to deal with allegations of professional misconduct or incompetence made against a member is given, in accordance with this section, to a person who requests the information.

(2) The information shall be given,

- (a) at least 14 days before the date of the hearing, if the request is received 14 days before the date of the hearing; or
- (b) as soon as possible after the request is made, if the request is received after that time but before the date of the hearing.

(3) The information given shall be as follows:

1. The name of the member against whom the allegations have been made.

2. The member's principal place of practice.

3. The date, time and place of the hearing.

4. A statement of the purpose of the hearing.

(4) The Registrar shall provide the information in French to a person who requests that the information be provided in French, wherever reasonably possible.

COUNCIL OF THE ONTARIO COLLEGE OF PHARMACISTS:

LAUREEN BRUNI  
President

A. J. DUNSDON  
Registrar

Dated at Toronto on June 1, 1996.

27/96

**ONTARIO REGULATION 281/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: May 15, 1996  
Approved: June 13, 1996  
Filed: June 21, 1996

Amending Reg. 226 of R.R.O. 1990  
(Crop Insurance Plan—Grapes)

Note: Regulation 226 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. (1) The Schedule to Regulation 226 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:**

**3.1 The classes of grapes and vines described in section 10 are categorized for purposes of this plan as follows:**

1. Labrusca, consisting of all varieties listed in classes 1, 2, 3 and 11.
2. French hybrid, consisting of all varieties listed in classes 5, 5a, 5b, 5c, 6, 7, 7a, 7b and 7c.
3. Vinifera, consisting of all varieties listed in classes 9, 9a, 9b, 9c, 9d, 10, 10a, 10b, 10c, 10d and 10e.

**(2) The Table to subsection 10 (1) of the Schedule to the Regulation is revoked and the following substituted:**

Class	Variety	Crop Insurance Price (per tonne)
1	Concord, Fredonia if sold for processing, President	\$ 223
2	Niagara, Wiley White	288
3	Elvira, Agawam, Catawba, Delaware, Dutchess, Buffalo, V35163, V34123, Ventura	263
	Alden, Veeblanc, Vincent	320



5	De Chaunac, Rosette	482
5a	Foch, Leon Millot	546
5b	Blue French Hybrid, GR 7, Chelois, Baco Noir, Chambourcin, Chancellor, Castel 19637, LeCommandant, Villard Noir	586
5c	Experimental Red Hybrid Florental, Varousset, Landot	520
6	New York/Canada Muscat	489
	B.S. 2846, Couderc 29935	498
	V61122, V64111	486
7	Aurore, Cayuga White, J.S. 23-416, Siebel 8229, Siegfried Rebe, S.V. 172, S.V. 23-512, V50201, Verdelet, Vivant, B.C. Riesling, White French Hybrids, S10868	470
7a	Seyval Blanc, Vidal 256	501
7b	Geisenheim, G.M. 323-58, Pollux, G.M. 311-58, G.M. 322, G.M. 324-56, G.M. 318	492
7c	Experimental White Hybrid, V64035, V65232	460
9	J. Riesling	969
9a	Kerner, W. Riesling, Bacchus, Auxerrois, Scheurebe	894
9b	Chardonnay	1,242
9c	Gewurztraminer	1,193
9d	Experimental White Vinifera, Point Gris, Gelber Musketeller, Goldburger, Gruner Veltiner, Morio Muscat, Otonel, Pinot Blanc, Alligote, Rieslaner, Riesling Traminer, Sauvignon Blanc, Muscat Ottonel, Chenin Blanc, Melon de Bourgogne	971
10	Gamay	969
10a	Pinot Noir	1,392
10b	Cabernet Sauvignon	1,392
10c	Cabernet Franc	1,392
10d	Merlot	1,442
10e	Zweigeltrebe, Limberger, Wildbacher, Blau, Experimental Red Vinifera, Zweigeltrebe, Limberger, Pinot Meunier, Zinfandel, Blauburger	1,044
11	any variety sold on the fresh market, including Fredonia, Himrod, Patricia, Sovereign Coronation, VanBuren and Venessa Seedless	527.83

(3) The Table to subsection 12 (1) of the Schedule to the Regulation is revoked and the following substituted:

TABLE

Category And Percentage Selected By Insured	70	75	80	85
Labrusca	7.6%	8.2%	9.3%	10.2%
French Hybrid	9.2%	10.0%	10.8%	11.5%
Vinifera	11.9%	12.4%	12.9%	13.5%

(4) Subsection 12 (3) of the Schedule to the Regulation is revoked and the following substituted:

(3) The premium rate for each category of grapes is determined by the following formula:

$$\text{Premium rate} = E (1+A)$$

(5) Subparagraph 6.1 (1) of Form 1 of the Schedule to the Regulation is amended by adding the following:

7. Marechal Foch
8. Baco Noir
9. Gewurztraminer
10. Gamay
11. Pinot Noir
12. Merlot
13. Cabernet Sauvignon
14. Cabernet Franc

(6) The Schedule to the Regulation is amended by adding the following form:

**FORM 2****Crop Insurance Act (Ontario)****EXTENDED COVERAGE ENDORSEMENT****TERMS AND CONDITIONS**

1. This endorsement provides insurance where a grape vine has died due to an insured peril.
2. The coverage for grape vines insured under this endorsement is extended to producing and non-producing vines in accordance with paragraph 8.
3. This endorsement applies to an insured person who applies for insurance in Form 1, applies for the extended coverage offered under this endorsement and pays the premiums prescribed by section 12 of the Schedule and paragraph 10 of Form 2.
4. The coverage in force, the indemnity and the premiums payable are in addition to any prescribed by the Schedule.
5. In this endorsement, the crop year is the period from December 1 in any year to November 30 in the next following year.
6. An application for extended coverage must be made by November 1, 1995 for the 1996 crop year and by September 1 preceding succeeding crop years.

**DESIGNATION OF PERILS**

7. The following are designated as perils for the purposes of this endorsement:

1. Drought.
2. Flood.
3. Hail.
4. Ice damage.
5. Lighting.
6. Tornado
7. Wind.
8. Winter freeze.

#### EXTENT OF INSURANCE

8. (1) The insured person must apply for insurance for all vines being used to produce the insured crop or that are being grown to produce the insured crop and, subject to subparagraph (2), this endorsement applies to all such vines.

(2) This endorsement does not apply to, and no indemnity is payable in respect of, vines,

- (a) planted on poorly drained sites;
- (b) planted in a geographic area in which the vine has not been tested and proven;
- (c) that are diseased;
- (d) in the year of planting;
- (e) that were previously injured;
- (f) whose production has been insured for fewer than two crop years; or
- (g) that, for any other reason in the opinion of the Commission, are not insurable.

#### COVERAGE

9. The coverage provided under this endorsement is the value per vine in accordance with the Table multiplied by the number of insured vines.

#### PREMIUMS

10. (1) In the formulas used in this section,



"A" is the surcharge or discount determined in accordance with subsections (4) and (5),

"B" is the number of years the insured person has been enrolled in this endorsement,

"C" is the insured person's loss to coverage ratio determined in accordance with subsection (6),

"D" is this endorsement's loss to coverage ratio determined in accordance with subsection (7), and

"E" is the base premium rate for each category as set out in the Table.

TABLE

Category	Base Premium Rate
Vinifera	6.2%
French Hybrid	4.4%
Labrusca	3.9%

(2) The premium payable in the crop year is determined by multiplying the coverage as determined under section 10 by the premium rate as determined under subsection (3).

(3) The premium rate is determined by the following formula:

$$\text{Premium rate} = E (1+A)$$

(4) "A" is determined by the following formula:

$$A = B \left( \frac{\frac{C-1}{D}}{25} \right)$$

(5) If the application of the formula results in a value for A that is greater than 0.25, "A" shall be 0.25 and if the application of the formula results in a value for A that is less than minus 0.25, "A" shall be minus 0.25.

(6) The insured person's loss to coverage ratio is determined by dividing the total dollar value of the payments made by the Commission to the insured person for the number of years the insured person has been enrolled in this endorsement by the total dollar value of the insured person's coverage for the number of years the insured person has been enrolled in this endorsement.

(7) This endorsement's loss to coverage ratio is determined by dividing the total dollar value of the payments made by the

Commission in respect of all claims made by insured persons under this endorsement for the number of years this endorsement has been in effect by the total dollar value of coverage extended by this endorsement for the number of years it has been in effect.

(8) The premium determined in accordance with subsections (1) to (7) includes payments in respect of premiums made by the Province of Ontario and the Government of Canada under the *Crop Insurance Act* (Canada).

(9) Despite subsections (1) to (7), the minimum premium payable by an insured person in each crop year under this endorsement is \$200.

(10) An insured person must pay a premium deposit of \$200 at the time of application for extended coverage.

11. An indemnity payable under this endorsement is reduced for the year that the indemnity is payable,

- (a) for Vinifera, by 6 per cent of the coverage under this endorsement;
- (b) for French Hybrid, by 4 per cent of the coverage under this endorsement; and
- (c) for Labrusca, by 3 per cent of the coverage under this endorsement.

#### NOTIFICATION OF LOSS

12. Any loss or damage must be reported to the Commission as soon as it becomes apparent and, in no case, is indemnity payable in respect of vines removed before inspection of them by the Commission.

TABLE

Categories	Value Per Vine
VINIFERA:	
Where the vines are 2 years of age	\$4.67
Where the vines are 3 years of age	\$5.63
Where the vines are 4 years of age or older	\$6.34
FRENCH HYBRID:	
Where the vines are 2 years of age	\$4.67
Where the vines are 3 years of age	\$5.63

Where the vines are 4 years of age or older	\$6.34
LABRUSCA:	
Where the vines are 2 years of age	\$3.67
Where the vines are 3 years of age	\$4.67
Where the vines are 4 years of age or older	\$5.34

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
Chair

MATT TULLOCH  
Secretary

Dated at Toronto on May 15, 1996.

27/96

**ONTARIO REGULATION 282/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: May 15, 1996  
Approved: June 13, 1996  
Filed: June 21, 1996

Amending Reg. 255 of R.R.O. 1990  
(Crop Insurance Plan—Winter Wheat)

Note: Regulation 255 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Subsection 11 (1.1) of the Schedule to Regulation 255 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(1.1) The floating price is the average price of Crop Grade 2 winter wheat sold between July 1 and August 31 in the crop year, as determined by the Ontario Wheat Producers' Marketing Board.

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
Chair

MATT TULLOCH  
Secretary

Dated at Toronto on April 19, 1996.

27/96

**ONTARIO REGULATION 283/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: May 13, 1996  
Approved: June 13, 1996  
Filed: June 21, 1996

Amending O. Reg. 639/92  
(Crop Insurance Plan—Carrots (Processing))

Note: Ontario Regulation 639/92 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) The definition of "processor" in section 3 of the Schedule to Ontario Regulation 639/92 is revoked.

(2) The Table to subsection 12 (1) of the Schedule to the Regulation is revoked and the following substituted:

TABLE

Percentage Chosen by Insured	Base Premium Rate Per Acre
65%	\$105
70%	\$120
75%	\$135
80%	\$155



2. Subparagraphs 10 (2) and (3) of Form 1 of the Regulation are amended by striking out "\$330" in each instance and substituting "\$400".

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
Chair

MATT TULLOCH  
Secretary

dated at Toronto on May 13, 1996.

7/96

**ONTARIO REGULATION 284/96**  
made under the  
**RENTAL HOUSING PROTECTION ACT**

Made: June 19, 1996  
Filed: June 21, 1996

Amending O. Reg. 524/94  
(General)

Note: Ontario Regulation 524/94 has not previously been amended.

1. (1) Subsection 2 (1) of Ontario Regulation 524/94 is amended,

(a) by striking out "subsection 10 (4)" in the second line and substituting "section 15 or 17"; and

(b) by striking out "clause 31 (7) (b) in the fourth line and substituting "subsection 31 (7)".

(2) Subsection 2 (2) of the Regulation is amended,

(a) by striking out "order under section 10" in the first and second lines and substituting "order for repairs under section 15 or 17"; and

(b) by striking out "clause 31 (7) (b)" in the third line and substituting "subsection 31 (7)".

2. Subsection 5 (5) of the Regulation is revoked and the following substituted:

(5) Every rental property owned by a non-profit housing corporation where the majority of voting shares are owned by a municipality, a county, a regional, district or metropolitan municipality or the County of Oxford or where the board of directors is elected or appointed subject to the prior approval of a municipality, a county, a regional, district or metropolitan municipality or the County of Oxford is exempt from the Act.

3. Schedule 2 of the Regulation is amended by adding the following paragraphs:

6. The rental property located on the parcel of land known municipally as 374 Parliament Street in the City of Toronto in the Municipality of Metropolitan Toronto, being composed of part of Lot 31, Block B, on registered plan D-138, described as follows:

Commencing at the southeasterly angle of said Lot 31;

Thence northerly along the easterly limit of said Lot, being the westerly limit of Parliament Street, 16 feet;

Thence westerly to and along the southerly face of the southerly wall of the dwelling standing in 1949 on the parcel immediately to the north of the herein described parcel and continuing westerly and parallel to the southerly limit of said Lot 31, in all a distance of 145 feet 9 inches to a point in the westerly limit of said Lot, distant 16 feet measured northerly thereon from the southwesterly angle of said Lot;

Thence southerly along the westerly limit of said Lot, being the easterly limit of a lane, 11 feet;

Thence southeasterly along the northerly limit of a lane, as opened by By-law No. 16475 of the Corporation of the City of Toronto, 7 feet 1½ inches to an angle therein;

Thence easterly along the southerly limit of said Lot 31, and continuing along the northerly limit of said lane by said By-law 140 feet 9 inches to the point of commencement;

Together with the rights of the owners and occupants of the dwelling immediately to the north of the herein described parcel to maintain in their present position the overhanging eaves of the said dwelling on the herein described parcel.

7. The rental property located on the parcel of land known municipally as 376 Parliament Street in the City of Toronto in the Municipality of Metropolitan Toronto, being composed of part of Lot 31, Block B, on registered plan D-138, described as follows:

Commencing at a point in the easterly limit of said Lot 31, distant 16 feet measured northerly thereon from the south easterly angle of said Lot;

Thence northerly along the easterly limit of said Lot, being the westerly limit of Parliament Street, 16 feet 7 inches;

Thence westerly to and along the centre line of wall between the dwellings standing in 1949 on the herein described parcel and the parcel immediately to the north thereof, and continuing westerly along the northerly face of the northerly wall of the westerly part of the said building on the herein described parcel, and continuing still westerly along a board fence in all a distance of 145 feet 9 and 1/3 inches to a point in the westerly limit of said Lot 31, distant 32 feet 7 inches measured northerly from the south westerly angle of said Lot;

Thence southerly along the westerly limit of said Lot, being the easterly limit of a lane, 16 feet 7 inches;

Thence easterly and parallel to the southerly limit of said Lot, to and along the southerly face of the southerly wall of the said building standing on the herein described parcel, and continuing easterly in all a distance of 145 feet 9 inches to the point of commencement.

8. The rental property located on the parcel of land known municipally as 378-380 Parliament Street in the City of Toronto in the Municipality of Metropolitan Toronto, being composed of Parts of Lots 31 and 32, Block B, on registered plan D-138 now designated as Part 3 on Plan of Survey No. 63R-1667.

9. The rental property located on the parcel of land known municipally as 382-386 Parliament Street in the City of Toronto in the Municipality of Metropolitan Toronto, being composed of Part of Lots 32 and 33, Block B, on registered plan D-138, now designated as Parts 1 and 2 on Plan of Survey No. 63R-1667.

As described in Instrument No. CT890857.

27/96

**ONTARIO REGULATION 285/96**  
made under the  
**PLANNING ACT**

Made: June 18, 1996  
Filed: June 21, 1996

Amending O. Reg. 104/72  
(Restricted Areas—Regional Municipality of York,  
Town of Markham)

Note: Since January 1, 1996, Ontario Regulation 104/96 has been amended by Ontario Regulations 142/96 and 144/96. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1995.

**1. Paragraph 4 of section 2 of Ontario Regulation 104/72 is revoked and the following substituted:**

4. That portion of lots 19 and 20 east of the Little Rouge Creek and lots 21, 22, 23, 24, 25, 26, 27, 28 and 29 and the southerly half of Lot 30 in Concession VIII, except for:

i. that portion of Lot 21 in Concession VIII more particularly described as follows:

Firstly:

Beginning at a point in the southerly limit of the said Lot distant 2,937 feet measured westerly therealong from the southeast angle of the said Lot;

Thence northerly parallel to the easterly limit of the said Lot a distance of 660 feet to the point of commencement;

Thence continuing northerly parallel to the easterly limit of the said Lot a distance of 660 feet to the northerly limit of the said Lot;

Thence easterly along the northerly limit of the said Lot a distance of 132 feet to a point;

Thence southerly parallel to the easterly limit of the said Lot a distance of 660 feet to a point;

Thence westerly parallel to the southerly limit of the said Lot a distance of 132 feet more or less to the point of commencement.

Secondly:

Beginning at a point in the southerly limit of the said Lot a distance of 2,937 feet from the southeast angle of the said Lot;

Thence northerly parallel to the easterly limit of the said Lot a distance of 1,320 feet to the northerly limit of the said Lot;

Thence westerly along the northerly limit of the said Lot and parallel to the southerly limit of the said Lot a distance of 363 feet to the centre of the said Lot;

Thence southerly along the centre of the said Lot a distance of 1,320 feet more or less to the southerly limit of the said Lot;

Thence easterly along the southerly limit of the said Lot a distance of 363 feet more or less to the place of beginning.

VINCENT FABIALLI  
Director (Acting)  
Plans Administration Branch  
Central and Southwestern  
Ministry of Municipal Affairs and Housing

Dated at Toronto on June 18, 1996.

27/96



# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—07—13

## ONTARIO REGULATION 286/96 made under the CROP INSURANCE ACT (ONTARIO)

Made: May 24, 1996  
Approved: June 18, 1996  
Filed: June 24, 1996

Amending Reg. 231 of R.R.O. 1990  
(Crop Insurance Plan—Lima Beans)

Note: Regulation 231 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Subsection 12 (1) of the Schedule to Regulation 231 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(1) The total premium payable in respect of acreage under contract to a processor is \$75.70 per acre.

2. Subparagraphs 10 (2) and (3) of Form 1 of the Regulation are revoked and the following substituted:

(2) If the Commission gives a consent under subparagraph (1), it shall pay an indemnity to the insured person equal to the cost of materials for replanting the damaged acreage to Lima beans, up to a maximum of \$120 per damaged acre.

(3) The contract of insurance continues to apply to the damaged acreage only if it is replanted to Lima beans.

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
*Chair*

MATT TULLOCH  
*Secretary*

## RÈGLEMENT DE L'ONTARIO 286/96 pris en application de la LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)

pris le 24 mai 1996  
approuvé le 18 juin 1996  
déposé le 24 juin 1996

modifiant le Règl. 231 des R.R.O. de 1990  
(Régime d'assurance-récolte sur les haricots de Lima)

Remarque : Le Règlement 231 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. Le paragraphe 12 (1) de l'annexe du Règlement 231 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

(1) La prime totale payable à l'égard de la superficie visée par le contrat conclu avec le transformateur est de 75,70 \$ l'acre.

2. Les sous-dispositions 10 (2) et (3) de la formule 1 du Règlement sont abrogées et remplacées par ce qui suit :

(2) Si la Commission donne un consentement visé à la sous-disposition (1), elle paie à l'assuré une indemnité égale au coût des matériaux nécessaires à la replantation de haricots de Lima sur la superficie endommagée, jusqu'à concurrence de 120 \$ pour chaque acre endommagé.

(3) Le contrat d'assurance continue de s'appliquer à la superficie replantée seulement si des haricots de Lima sont replantés sur celle-ci.

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE :

WILLIAM JONGEJAN  
*Président*

MATT TULLOCH  
*Secrétaire*

Dated at Toronto on May 24, 1996.

Fait à Toronto le 24 mai 1996.



**ONTARIO REGULATION 287/96**  
made under the  
**LIVESTOCK COMMUNITY SALES ACT**

Made: June 19, 1996  
Filed: June 25, 1996

Amending Reg. 729 of R.R.O. 1990  
(General)

Note: Regulation 729 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Paragraph 4 of section 1 of Regulation 729 of the Revised Regulations of Ontario, 1990 is amended by striking out "*Livestock Pedigree Act (Canada)*" in the fourth line and substituting "*Animal Pedigree Act (Canada)*".

2. (1) Subclause (i) of paragraph 1 of section 2 of the Regulation is revoked and the following substituted:

(i) the pure bred livestock are registered in accordance with the *Animal Pedigree Act (Canada)*,

(2) Subclause (i) of paragraph 2 of section 2 of the Regulation is revoked and the following substituted:

(i) the pure bred livestock are registered in accordance with the *Animal Pedigree Act (Canada)*,

(3) Section 2 of the Regulation is amended by adding the following paragraph:

3. A sale of pure bred Standardbred horses that are registered in accordance with the *Animal Pedigree Act (Canada)* where the seller gives the buyer the certificate of registration of each animal sold.

28/96

**ONTARIO REGULATION 288/96**  
made under the  
**ARTIFICIAL INSEMINATION OF LIVESTOCK ACT**

Made: June 19, 1996  
Filed: June 25, 1996

Amending Reg. 28 of R.R.O. 1990  
(General)

Note: Regulation 28 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 2 of Regulation 28 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

2. Persons engaged in the artificial insemination of goats, horses, sheep or swine are exempt from the provisions of the Act and this Regulation with respect to the goats, horses, sheep and swine.

2. Sections 21 to 32 of the Regulation are revoked.

28/96

**ONTARIO REGULATION 289/96**  
made under the  
**ANIMALS FOR RESEARCH ACT**

Made: June 19, 1996  
Filed: June 25, 1996

Amending Reg. 22 of R.R.O.  
(General)

Note: Regulation 22 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Subsection 1 (3) of Regulation 22 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(3) The fee for a licence as an operator of a supply facility is \$100.

2. Subsection 2 (3) of the Regulation is revoked and the following substituted:

(3) The fee for registration of a research facility is,

(a) \$200 for one research facility;

(b) \$100 for each additional research facility under the control of the same operator.

28/96

**ONTARIO REGULATION 290/96**  
made under the  
**FOREST FIRES PREVENTION ACT**

Made: June 26, 1996  
Filed: June 26, 1996

**RESTRICTED FIRE ZONE**

1. The West Fire Region, as described in Schedule 1 to Ontario Regulation 207/96, is declared to be a restricted fire zone from 0001 hours on the 27th day of June to 2400 hours on the 3rd day of July, both inclusive, in the year 1996.

PETER ALLEN  
Executive Assistant  
Deputy Minister's Office  
Ministry of Natural Resources

Dated at Toronto on June 26, 1996.

28/96

**ONTARIO REGULATION 291/96**  
made under the  
**BEEF CATTLE MARKETING ACT**

Made: June 19, 1996  
Filed: June 26, 1996

Amending Reg. 54 of R.R.O. 1990  
(Licence Fees)

Note: Regulation 54 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 3 of Regulation 54 of the Revised Regulations of Ontario, 1990, is revoked and the following substituted:

3. The licence fees payable by a person who sells cattle shall be \$2.25 for each head of cattle sold.

**2. Clause 8 (1) (c) of the Regulation is revoked.**

28/96

**ONTARIO REGULATION 292/96**  
made under the  
**WORKERS' COMPENSATION ACT**

Made: June 13, 1996  
Approved: June 26, 1996  
Filed: June 27, 1996

Amending O. Reg. 753/91  
(Pension Benefits for Board Members and Employees)

Note: Ontario Regulation 753/91 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Subsection 4 (4) of Ontario Regulation 753/91 is revoked.**

**2. (1) Clause 10 (1) (c) of the Regulation is revoked and the following substituted:**

(c) subject to subsection (1.1), 7 per cent of the amount of his or her earnings that exceeds the Year's Maximum Pensionable Earnings.

**(2) Section 10 of the Regulation is amended by adding the following subsections:**

(1.1) The member shall not contribute an amount under subsection (1) greater than the maximum permissible contribution determined under subsection 8503 (4) of the *Income Tax Regulations* (Canada).

(1.2) For the purposes of subsection (1), the member's earnings for a year shall be deemed to exclude the amount, if any, that exceeds the amount calculated using the formula,

$$50 \times (A + B)$$

in which,

"A" equals 0.7 per cent of the Year's Maximum Pensionable Earnings; and

"B" equals \$1,722.22 adjusted by the ratio described in subsection 25 (7).

**3. Subsection 25 (7) of the Regulation is revoked and the following substituted:**

(7) The ratio referred to in clause (5) (b) is,

(a) 1.0 in the case of a pension that begins before 1999; and

(b) the ratio of the average industrial wage for the year in which the pension begins to be paid to the average industrial wage for 1998, in the case of a pension that begins after 1998.

**4. (1) Subsection 26 (6) of the Regulation is amended by striking out the second sentence and substituting the following:**

The election must be made,

(a) after December 31, 1993 and before April 1, 1994; or

(b) after June 30, 1996 and before January 1, 2000.

**(2) Section 26 of the Regulation is amended by adding the following subsection:**

(7.1) A person may elect after June 30, 1996 and before January 1, 2000 to receive an early retirement pension if,

(a) the person begins a paid leave of absence before December 31, 1999; and

(b) the person's age, at the end of the paid leave, when added to the number of years of his or her continuous membership in the pension plan at the end of the paid leave, totals at least 80.

**(3) Subsection 26 (8) of the Regulation is revoked and the following substituted:**

(8) A person who elects to receive an early retirement pension under subsection (6) or (7.1) cannot revoke the election.

**5. Paragraph 2 of subsection 28 (3) of the Regulation is revoked and the following substituted:**

2. This paragraph applies if the person elects before July 1, 1996 to receive the early retirement pension. Despite paragraph 1 of subsection (2), the actuarial reduction in the pension must not be more than 5 per cent of the normal retirement pension multiplied by the number of whole years and any fraction of a year from the date of retirement to the normal retirement date.

3. This paragraph applies if the person elects after June 30, 1996 to receive the early retirement pension. Despite paragraph 1 of subsection (2), the actuarial reduction in the pension must not be more than 3 per cent of the normal retirement pension multiplied by the number of whole years and any fraction of a year from the date of retirement to the first date on which the person would have been entitled to a normal retirement pension or to an early retirement pension under subsection 26 (2) or (3), had he or she continued to be an employee until that date.

**6. Paragraph 4 of subsection 29 (1) of the Regulation is revoked and the following substituted:**

4. Subsection 26 (7) or (7.1) (age plus years of membership equals 80, paid leave situation).

**7. This Regulation comes into force on July 1, 1996.**

WORKERS' COMPENSATION BOARD:

MICHAEL O'KEEFE  
Chair

BRENDA CROUCHER  
Secretary

Dated at Toronto on June 13, 1996.

28/96



**ONTARIO REGULATION 293/96**  
made under the  
**SUBSTITUTE DECISIONS ACT, 1992**

Made: June 26, 1996  
Filed: June 27, 1996

**CAPACITY ASSESSMENT**

**1. (1)** A person is qualified to do assessments of capacity if he or she,

- (a) is a member of the,
  - (i) College of Physicians and Surgeons of Ontario,
  - (ii) College of Psychologists of Ontario,
  - (iii) Ontario College of Certified Social Workers,
  - (iv) College of Occupational Therapists of Ontario, or
  - (v) College of Nurses of Ontario;
- (b) has successfully completed a training course for assessors,
  - (i) given or approved by the Attorney General, as described in section 3, or
  - (ii) given by the Attorney General under Ontario Regulation 29/95 before this Regulation comes into force; and
- (c) is covered by professional liability insurance of not less than \$1,000,000.

(2) Despite subsection (1), a person is qualified to do assessments of capacity until the earlier of April 2, 1997 and the termination of the person's agreement with Her Majesty the Queen in right of Ontario concerning his or her designation as an assessor if he or she,

- (a) holds a valid certificate of designation as an assessor that was issued before this Regulation comes into force; and
- (b) is covered by professional liability insurance of not less than \$1,000,000.

**2.** An assessor shall perform assessments of capacity in accordance with the "Guidelines for Conducting Assessments of Capacity" established by the Attorney General and dated June 7, 1996.

**3.** The training course required under subclause 1 (1) (b) (i) shall include,

- (a) instruction in the *Substitute Decisions Act, 1992*;
- (b) instruction in the procedures established by the Attorney General for the conduct of assessments of capacity, as set out in the guidelines referred to in section 2;
- (c) instruction in the procedures for determining if a person needs decisions to be made on his or her behalf by a person authorized to do so, as set out in the guidelines referred to in section 2; and
- (d) an evaluation of the trainee's mastery of the training at the conclusion of the course.

**RÈGLEMENT DE L'ONTARIO 293/96**  
pris en application de la  
**LOI DE 1992 SUR LA PRISE DE**  
**DÉCISIONS AU NOM D'AUTRUI**

pris le 26 juin 1996  
déposé le 27 juin 1996

**ÉVALUATION DE LA CAPACITÉ**

**1. (1)** Une personne a les qualités requises pour faire des évaluations de la capacité si elle remplit les exigences suivantes :

- a) elle est membre de l'un ou l'autre des ordres suivants :
  - (i) l'Ordre des médecins et chirurgiens de l'Ontario,
  - (ii) l'Ordre des psychologues de l'Ontario,
  - (iii) le Collège des travailleurs sociaux agréés de l'Ontario,
  - (iv) l'Ordre des ergothérapeutes de l'Ontario,
  - (v) l'Ordre des infirmières et infirmiers de l'Ontario;
- b) elle a réussi un cours de formation pour les évaluateurs qui est :
  - (i) soit donné ou approuvé par le procureur général, tel que ce cours est décrit à l'article 3,
  - (ii) soit donné par le procureur général aux termes du Règlement de l'Ontario 29/95 avant l'entrée en vigueur du présent règlement;
- c) elle a une assurance-responsabilité professionnelle d'au moins 1 000 000 \$.

(2) Malgré le paragraphe (1), une personne a les qualités requises pour faire des évaluations de la capacité jusqu'à la fin de l'entente qu'elle a conclue avec Sa Majesté la Reine du chef de l'Ontario en ce qui concerne sa désignation comme évaluateur ou, si cette date est antérieure, jusqu'au 2 avril 1997, si :

- a) d'une part, elle détient un certificat valide de désignation comme évaluateur qui a été délivré avant l'entrée en vigueur du présent règlement;
- b) d'autre part, elle a une assurance-responsabilité professionnelle d'au moins 1 000 000 \$.

**2.** L'évaluateur effectue les évaluations de la capacité conformément aux directives intitulées «Lignes directrices relatives à la conduite des évaluations de la capacité» établies par le procureur général et datées du 7 juin 1996.

**3.** Le cours de formation exigé aux termes du sous-alinéa 1 (1) (b) (i) doit comprendre ce qui suit :

- a) une formation sur la *Loi de 1992 sur la prise de décisions au nom d'autrui*;
- b) une formation sur les procédures établies par le procureur général pour la conduite des évaluations de la capacité, telles que ces procédures sont énoncées dans les directives mentionnées à l'article 2;
- c) une formation sur les procédures établies pour déterminer si une personne a besoin qu'une personne autorisée à le faire prenne des décisions en son nom, telles que ces procédures sont énoncées dans les directives mentionnées à l'article 2;
- d) une évaluation, à la fin du cours, pour déterminer si la personne a bien assimilé la formation qu'elle a reçue.



4. The following forms provided by the Attorney General are prescribed:

1. "Form A: Statement of Assessor—Determination of Capacity/Incapacity or Certificate of Incapacity—Property" for the purpose of subsection 9 (3), subsection 16 (3), section 72 or section 73 of the Act, dated May 30, 1996.
2. "Form B: Statement of Assessor—Determination of Capacity/Incapacity—Personal Care" for the purpose of subsection 49 (2), section 74 or section 75 of the Act, dated March 29, 1996.
3. "Form C: Assessment Form" for the purpose of subsection 78 (4) of the Act, dated May 30, 1996.
4. "Form D: Statement of an Assessor Confirming Capacity" for the purpose of paragraph 2 of subsection 50 (1) of the Act, dated March 29, 1996.
5. "Form E: Statement of an Assessor Confirming Capacity to Revoke a Power of Attorney for Personal Care" for the purpose of subsection 50 (4) of the Act, dated March 29, 1996.

5. Ontario Regulation 29/95 is revoked.

6. This Regulation comes into force on July 31, 1996.

4. Les formules suivantes fournies par le procureur général sont prescrites :

1. «Formule A : Déclaration de l'évaluateur—Détermination de la capacité/Incapacité ou certificat d'incapacité—Biens» pour l'application du paragraphe 9 (3), du paragraphe 16 (3), de l'article 72 ou de l'article 73 de la Loi, datée du 30 mai 1996.
2. «Formule B : Déclaration de l'évaluateur—Détermination de la capacité/Incapacité—Soin de la personne» pour l'application du paragraphe 49 (2), de l'article 74 ou de l'article 75 de la Loi, datée du 29 mars 1996.
3. «Formule C : Formule d'évaluation» pour l'application du paragraphe 78 (4) de la Loi, datée du 30 mai 1996.
4. «Formule D : Déclaration de l'évaluateur confirmant la capacité» pour l'application de la disposition 2 du paragraphe 50 (1) de la Loi, datée du 29 mars 1996.
5. «Formule E : Déclaration de l'évaluateur confirmant la capacité aux fins de la révocation d'une procuration relative au soin de la personne» pour l'application du paragraphe 50 (4) de la Loi, datée du 29 mars 1996.

5. Le Règlement de l'Ontario 29/95 est abrogé.

6. Le présent règlement entre en vigueur le 31 juillet 1996.

28/96

**ONTARIO REGULATION 294/96**  
made under the  
**ASSESSMENT REVIEW BOARD ACT**

Made: June 11, 1996  
Approved: June 26, 1996  
Filed: June 27, 1996

Revoking O. Reg. 803/94  
(Assessment Review Board Rules of Procedure)

1. Ontario Regulation 803/94 is revoked.

ASSESSMENT REVIEW BOARD:

ANDY ANSTETT  
*Chair*

DEBORAH GULAL  
*Provincial Registrar*

Dated at Toronto on June 11, 1996.

28/96

**ONTARIO REGULATION 295/96**  
made under the  
**LOAN AND TRUST CORPORATIONS ACT**

Made: June 26, 1996  
Filed: June 27, 1996

Amending Reg. 733 of R.R.O. 1990  
(General)

Note: Regulation 733 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Regulation 733 of the Revised Regulations of Ontario, 1990 is amended by adding the following Part:

**PART XX.1**  
**DURATION OF AUTHORITY TO CARRY ON BUSINESS**

125. The date in subsection 227 (1) of the Act shall be changed from the 1st day of July, 1996 to the 1st day of July, 1997.

28/96

**ONTARIO REGULATION 296/96**  
made under the  
**PROVINCIAL PARKS ACT**

Made: June 26, 1996  
Filed: June 27, 1996

Amending Reg. 951 of R.R.O. 1990  
(Designation of Parks)

Note: Regulation 951 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 2 of Regulation 951 of the Revised Regulations of Ontario, 1990 is amended by adding the following description:**

**THE MASSASAUGA PROVINCIAL PARK**

In the Territorial District of Parry Sound and Province of Ontario, containing 13,105 hectares, more or less, being composed of islands and parts of islands in Georgian Bay of Lake Huron, in front of the geographic townships of Conger and Cowper, parts of the said geographic townships of Conger and Cowper, now in the municipal Township of The Archipelago, and parts of the geographic and municipal Township of Foley, designated as Parts 1 to 95 (both inclusive) on a plan known as The Massasauga Provincial Park, filed on the 16th day of April, 1996 in the Office of the Surveyor General, in the Ministry of Natural Resources at Toronto, Ontario.

**2. (1) The Table to the Regulation is amended by striking out the following:**

Blackstone Harbour (Massasauga Wildlands) Provincial Park	Schedule 242, Appendix B
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**(2) The Table to the Regulation is amended by adding the following:**

The Massasauga Provincial Park	Section 2
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28/96

**ONTARIO REGULATION 297/96**  
made under the  
**DRUG AND PHARMACIES REGULATION ACT**

Made: January 10, 1996  
Approved: June 26, 1996  
Filed: June 27, 1996

**GENERAL**

**1. An applicant for a certificate of accreditation of a pharmacy shall pay an application fee of \$385.**

**2. (1) Upon renewal of a certificate of accreditation, the operator of a pharmacy shall pay a renewal fee of \$650.**

**(2) The renewal fee is due on March 10 of each year.**

**(3) If the operator fails to pay the renewal fee on or before March 10 in any year, he or she shall pay the renewal fee plus a penalty for late payment equal to 25 per cent of the renewal fee.**

**(4) The Registrar shall give the operator of a pharmacy notice of the amount of the renewal fee and of the day on which it is due to at least 30 days before March 10 of each year.**

COUNCIL OF THE ONTARIO COLLEGE OF PHARMACISTS

LAUREEN BRUN  
*President*

A. J. DUNSDON  
*Registrar*

Dated at Toronto on January 10, 1996.

28/96

**ONTARIO REGULATION 298/96**  
made under the  
**DRUG PHARMACIES REGULATION ACT**

Made: June 7, 1996  
Approved: June 26, 1996  
Filed: June 27, 1996

Amending Reg. 551 of R.R.O. 1990  
(General)

Note: Regulation 551 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 80 of Regulation 551 of the Revised Regulations of Ontario, 1990 is revoked.**

**2. (1) Schedule C to the Regulation is amended by striking out "Loperamide and its salts" and substituting "Loperamide and its salts, in oral liquid dosage forms for children".**

**(2) Schedule C to the Regulation is amended by striking out "Methocarbamol for oral use".**

COUNCIL OF THE ONTARIO COLLEGE OF PHARMACISTS

LAUREEN BRUN  
*President*

A. J. DUNSDON  
*Registrar*

Dated at Toronto on June 7, 1996.

28/96

**ONTARIO REGULATION 299/96**  
made under the  
**IMMUNIZATION OF SCHOOL PUPILS ACT**

Made: June 26, 1996  
Filed: June 27, 1996

Amending Reg. 645 of R.R.O. 1990  
(General)

Note: Regulation 645 has not previously been amended.

**1. Section 1 of Regulation 645 of the Revised Regulations of Ontario, 1990 is amended by adding the following clause:**

(d.1) the pupil's health number, as defined in the *Health Cards and Numbers Control Act, 1991*;

**2. Item 4 of the Schedule to section 5 of the Regulation is revoked and the following substituted:**

4. Measles	Live attenuated virus vaccine	2 One dose after the first birthday with a further dose more than one month later and preferably at age 4-6.	NONE required
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**3. This Regulation comes into force on September 1, 1996.**

28/96

**ONTARIO REGULATION 300/96**  
made under the  
**SHORTLINE RAILWAYS ACT, 1995**

Made: June 26, 1996  
Filed: June 28, 1996

**DESIGNATION**

**1. The following corporations are designated for the purpose of clause 2 (a) of the Act:**

1. Port Stanley Terminal Rail Incorporated.
2. Goderich-Exeter Railway Company Limited.
3. South Simcoe Railway Heritage Corporation.

**2. This Regulation comes into force on the later of the day that falls 30 days after the Act comes into force and December 31, 1996.**

28/96

**ONTARIO REGULATION 301/96**  
made under the  
**SHORTLINE RAILWAYS ACT, 1995**

Made: June 26, 1996  
Filed: June 28, 1996

**INSURANCE**

**1. In this Regulation,**

"liability insurance" means financial compensation provided for in a contract entered into between an applicant and an insurer in respect of payments for third party bodily injury or death, third party property damage excluding damage to cargo, passenger liability, and named perils pollution arising out of the applicant's operation of a railway.

**2. An applicant for a licence must obtain liability insurance that,**

- (a) is usual and customary for similar operations in Canada and subject to a primary limit of not less than \$10 million dollars per occurrence;
- (b) is endorsed to provide that the Crown in the right of Ontario as represented by the Minister of Transportation, and the Crown in right of Canada as represented by the Minister of Transport are included as additional insured relatives to the operations of the company; and
- (c) has a standard cross liability clause.

**3. (1) An applicant for a licence must provide the registrar with a certificate of insurance that indicates the name and address of the shortline railway company, name and address of the insurance broker or agent, policy number, date of issuance, date of effectiveness, date of expiry, policy amount and details of coverage disclosing any self-insured retention, endorsement of the Minister, cross liability and all exclusions or limitations.**

**(2) In this section,**

"self-insured retention" means a deductible that represents the amount of risk for which the insured takes financial responsibility under an insurance contract.

**4. This Regulation comes into force on the day this Act comes into force.**

28/96

**ONTARIO REGULATION 302/96**  
made under the  
**REGISTRY ACT**

Made: June 28, 1996  
Filed: June 28, 1996

**OFFICE HOURS**

**1. Despite any other Regulation, the Land Registry Offices for the following Divisions shall be kept open from 9:30 o'clock in the forenoon until 5:30 p.m., local time, on June 28, 1996.**

Land Titles Division of Peel (No. 43)

Registry Division of Peel (No. 43)

Land Titles Division of Simcoe (No. 51)



Registry Division of Simcoe (No. 51)

Land Titles Division of Wentworth (No. 62)

Registry Division of Wentworth (No. 62)

Registry Division of Metropolitan Toronto (No. 64)

Registry Division of York Region (No. 65)

Land Titles Division of York Region (No. 65)

Land Titles Division of Metropolitan Toronto (No. 66)

**2. This Regulation is revoked on June 29, 1996.**

IAN VEITCH  
*Director of Land Registration*

Dated at Toronto on June 28, 1996.

28/96

**ONTARIO REGULATION 303/96**  
made under the  
**COURTS OF JUSTICE ACT**

Made: June 26, 1996  
Filed: June 28, 1996

Amending O. Reg. 233/95  
(Number of Judges)

Note: Ontario Regulation 233/95 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 2.1 of Ontario Regulation 233/95 is revoked and the following substituted:**

**2.1** The number of judges of the Court of Appeal who are in addition to the Chief Justice and the Associate Chief Justice is increased from 16 to 17.

28/96

**ONTARIO REGULATION 304/96**  
made under the  
**FOREST FIRES PREVENTION ACT**

Made: June 28, 1996  
Filed: June 28, 1996

Revoking O. Reg. 290/96  
(Restricted Fire Zone)

**1. Ontario Regulation 290/96 is revoked effective as of 2400 hours on the 28th day of June, 1996.**

RON VRANCART  
*Deputy Minister of Natural Resources*

Dated at Toronto on June 28, 1996.

28/96

**ONTARIO REGULATION 305/96**  
made under the  
**FOREST FIRES PREVENTION ACT**

Made: June 28, 1996  
Filed: June 28, 1996

**RESTRICTED FIRE ZONE**

**1.** Zones 3, 6, 7, 8, 9, 11 and 12 of the West Fire Region as described in Schedule 1 to Ontario Regulation 207/96, are declared to be a restricted fire zone from 0001 hours on the 29th day of June to 2400 hours on the 10th day of July, both inclusive, in the year 1996.

RON VRANCART  
*Deputy Minister of Natural Resources*

Dated at Toronto on June 28, 1996.

28/96

# Publications under the Regulations Act

## Publications en vertu de la Loi sur les règlements

1996—07—20

### ONTARIO REGULATION 306/96

made under the  
**HIGHWAY TRAFFIC ACT**

Made: June 26, 1996  
Filed: July 2, 1996

Amending O. Reg. 340/94  
(Drivers' Licences)

Note: Ontario Regulation 340/94 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

#### 1. Ontario Regulation 340/94 is amended by adding the following sections:

21.1 (1) The Minister may issue a waiver of the qualifications referred to in clauses 17 (1) (j) and (k) for an applicant for, or holder, of a Class A or D driver's licence if,

- (a) the applicant or holder provides evidence that he or she has successfully completed any tests, procedures and examinations that the Minister may require; and
- (b) the applicant or holder,
  - (i) has a visual acuity by Snellen rating, with or without the aid of corrective lenses, no poorer than 20/30 in the better eye,
  - (ii) has a horizontal visual field of at least 120 degrees as measured by confrontation tests,
  - (iii) meets all of the qualifications referred to in clauses 17 (1) (a) to (i),
  - (iv) has previously been a holder of the driver's licence for which he or she is applying or a driver's licence of an equivalent class,
  - (v) has held a Class G or M driver's licence or a driver's licence of an equivalent class for at least one year immediately before the application,
  - (vi) has not been able to meet the qualifications prescribed in clauses 17 (1) (j) and (k) for a period of at least one year immediately before the application,
  - (vii) does not have a medical condition or disability that requires a Ministerial waiver from the qualifications for obtaining any class of driver's licence prescribed in the Act or the regulations other than the waiver under this subsection,
  - (viii) does not have accumulated more than six demerit points on his or her driving record at the time of application; and

- (ix) did not have his or her driver's licence under suspension at any time within the twelve months immediately preceding the time of the application as a result of a conviction under section 53, subsection 128 (15), or section 130, 172, 200 or 216 of the Act, or under the *Criminal Code* (Canada) for an offence committed by means of a motor vehicle or while driving or having the care or control of a motor vehicle as defined in the Act.

(2) The Minister may require that the holder of a Class A or D driver's licence who has been issued a waiver under subsection (1) submit to tests, procedures and examinations, at a frequency to be determined by the Minister and the Minister may renew the waiver if the holder of the Class A or D driver's licence successfully completes the tests, procedures and examinations, provides the Minister with evidence that he or she may require in subsection (1) and meets the requirements referred to in this section.

(3) It is a condition of a Class A or D driver's licence for which the holder received a waiver under subsection (1) that the holder submit to tests related to the qualifications waived as such reasonable times as the Minister may require.

(4) The Minister may renew the waiver for a person who demonstrates that he or she can safely drive motor vehicles in the class authorized to be driven by the class of licence for which a renewal is requested if there has been no worsening of the condition that would have disqualified the person had the prior waiver not been granted.

21.2 On January 1, 2002, section 21.1 is revoked and the following substituted:

21.1 The Minister may renew a waiver of the qualifications referred to in clauses 17 (1) (j) and (k) for a holder of a class A or D driver's licence requesting a renewal of his or her licence if,

- (a) the holder can safely drive motor vehicles in the class authorized to be driven by the class of licence for which a renewal is requested;
- (b) there is no worsening of the condition that would have disqualified the holder had the prior waiver not been granted;
- (c) the holder provides evidence that he or she has successfully completed any tests, procedures and examinations that the Minister may require to demonstrate that the conditions in clauses (a) and (b) are satisfied; and
- (d) the holder does not have a medical condition or disability that requires a Ministerial waiver from the qualifications for obtaining any class of driver's licence prescribed in the Act or the regulations other than the waiver under this section.

29/96



**ONTARIO REGULATION 307/96**  
made under the  
**FOREST FIRES PREVENTION ACT**

Made: July 2, 1996  
Filed: July 2, 1996

Revoking O. Reg. 305/96  
(Restricted Fire Zone)

**1. Ontario Regulation 305/96 is revoked effective as of 1200 hours on July 2, 1996.**

PETER ALLEN  
*Executive Assistant*  
*Deputy Minister's Office*  
*Ministry of Natural Resources*

Dated at Toronto on July 2, 1996.

29/96

**ONTARIO REGULATION 308/96**  
made under the  
**BUSINESS CORPORATIONS ACT**

Made: June 26, 1996  
Filed: July 2, 1996

Amending Reg. 62 of R.R.O. 1990  
(General)

Note: Regulation 62 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Regulation 62 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:**

**65.1 (1) The fee payable for a service set out in Schedule 1 is the fee set out in the Schedule for expedited service if,**

- (a) the person who requests the service requests that it be provided by the end of the business day following the day of the request; and
- (b) the service is provided to the person by the end of the business day following the day of the request.

(2) In subsection (1),

"business day" means a day during which the Ministry's computer system is operational for the purpose of filing and searching under the Act.

**2. (1) Schedule 1 to the Regulation is amended by adding the following item:**

6.1 On delivery of articles of revival and for filing and endorsing a certificate ..... 315.00

**(2) Items 8 and 9 of Schedule 1 to the Regulation are revoked and the following substituted:**

**RÈGLEMENT DE L'ONTARIO 308/96**  
pris en application de la  
**LOI SUR LES SOCIÉTÉS PAR ACTIONS**

pris le 26 juin 1996  
déposé le 2 juillet 1996

modifiant le Règl. 62 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Le Règlement 62 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

**1. Le Règlement 62 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de l'article suivant :**

**65.1 (1) Les droits exigibles pour un service mentionné à l'annexe 1 correspondent aux droits précisés dans l'annexe pour un service accéléré si les conditions suivantes sont réunies :**

- a) la personne demande que le service lui soit fourni avant la fin du jour ouvrable suivant le jour où elle présente la demande;
- b) le service est fourni à la personne avant la fin du jour ouvrable suivant le jour où la demande est présentée.

(2) La définition qui suit s'applique au paragraphe (1).

«jour ouvrable» S'entend d'un jour où le système informatique du ministère fonctionne aux fins des dépôts et recherches prévus par la Loi.

**2. (1) L'annexe 1 du Règlement est modifiée par adjonction du point suivant :**

6.1 Lors de la délivrance des statuts de reconstitution et pour le dépôt et l'apposition du certificat ..... 315,00

**(2) Les points 8 et 9 de l'annexe 1 du Règlement sont abrogés et remplacés par ce qui suit :**



8. For a search to determine if any documents are on file with the Ministry under the Act or a predecessor of it with respect to a corporation and,
- i. production of the original documents on file if available but no production of copies ..... 10.00
  - ii. a microfiche copy of the documents on file if available,
    - A. non-expedited service ..... 10.00
    - B. expedited service ..... 20.00
  - iii. copies on paper of the documents on file ..... 0.80  
per page, in addition to the fee payable under clause i or ii
  - iv. a statement that there is no record for a corporation ..... 10.00

(3) Schedule 1 to the Regulation is amended by adding the following items:

14. For a list of documents recorded as filed in the Ministry's computer system under the Act or a predecessor of it with respect to a corporation,
- i. non-expedited service ..... 3.00
  - ii. expedited service ..... 5.00
15. For certification of a list described in item 14 ..... 8.00  
in addition to the fee payable under that item

3. This Regulation comes into force on September 1, 1996.

**ONTARIO REGULATION 309/96**  
made under the  
**BUSINESS NAMES ACT**

Made: June 26, 1996  
Filed: July 2, 1996

Amending O. Reg. 121/91  
(General)

Note: Ontario Regulation 121/96 has been amended by Ontario Regulation 256/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Subsection 11 (1) of Ontario Regulation 121/91 is revoked and the following substituted:

8. Pour une recherche pour établir si des documents concernant une société ont été déposés auprès du ministère aux termes de la Loi ou d'une loi que celle-ci remplace et :
- i. la production des documents originaux déposés, s'ils sont disponibles, mais non la production de copies ... 10,00
  - ii. une copie sur microfiche des documents déposés, s'ils sont disponibles :
    - A. en cas de service non accéléré . 10,00
    - B. en cas de service accéléré .... 20,00
  - iii. des copies sur papier des documents déposés ..... 0,80  
la page, en plus des droits exigibles aux termes de l'alinéa i ou ii
  - iv. une déclaration indiquant qu'il n'existe pas de dossier à l'égard d'une société ..... 10,00

(3) L'annexe 1 du Règlement est modifiée par adjonction des points suivants :

14. Pour une liste des documents concernant une société enregistrés à titre de documents déposés au système informatique du ministère aux termes de la Loi ou d'une loi que celle-ci remplace :
- i. en cas de service non accéléré .... 3,00
  - ii. en cas de service accéléré ..... 5,00
15. Pour la certification d'une liste visée au point 14 ..... 8,00  
en plus des droits exigibles aux termes de ce point

3. Le présent règlement entre en vigueur le 1<sup>er</sup> septembre 1996.

**RÈGLEMENT DE L'ONTARIO 309/96**  
pris en application de la  
**LOI SUR LES NOMS COMMERCIAUX**

pris le 26 juin 1996  
déposé le 2 juillet 1996

modifiant le Règl. de l'Ont. 121/91  
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 121/91 a été modifié par le Règlement de l'Ontario 256/96. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. (1) Le paragraphe 11 (1) du Règlement de l'Ontario 121/91 est abrogé et remplacé par ce qui suit :

## (1) The following fees are payable in respect of registrations:

1. For registration of a name and for confirmation of the registration,
  - i. if the registration is done in person at the public office of the Registrar or in electronic format, \$70;
  - ii. in all other cases, \$60.
2. For renewal of a registration of a name and for confirmation of the registration,
  - i. if the registration is done in person at the public office of the Registrar or in electronic format, \$70;
  - ii. in all other cases, \$60.

## (2) Subsection 11 (2) of the Regulation is amended by adding the following paragraphs:

6. For a list of documents with respect to a registration that are recorded in the computer system that the Registrar has established for registrations,
  - i. under non-expedited service, \$3;
  - ii. under expedited service, \$5.
7. For certification of a list described in paragraph 6, \$8 in addition to the fee payable under that paragraph.
8. For a replica of a document included in a record with respect to a registered name,
  - i. under non-expedited service, \$8;
  - ii. under expedited service, \$10.
9. For certification of a replica of a document included in a record, \$8 in addition to the fee payable under paragraph 8.
10. For a list of business names registered by a corporation under the Act and recorded in the computer system that the Registrar has established for registrations,
  - i. under non-expedited service, \$8;
  - ii. under expedited service, \$10.
11. For certification of a list described in paragraph 10, \$8 in addition to the fee payable under that paragraph.
12. For a report setting out the information contained in each registration of a business name under the Act and recorded in the computer system that the Registrar has established for registrations,
  - i. under non-expedited service, \$8;
  - ii. under expedited service, \$10.
13. For certification of a report described in paragraph 12, \$8 in addition to the fee payable under that paragraph.

## (3) Section 11 of the Regulation is amended by adding the following subsections:

(4) The fee payable for a service set out in subsection (2) is the fee set out in that subsection for expedited service if,

- (a) the person who requests the service requests that it be provided by the end of the business day following the day of the request; and

## (1) Les droits exigibles suivants sont applicables aux enregistrements :

1. Pour l'enregistrement d'un nom et la confirmation de l'enregistrement :
  - i. si l'enregistrement est fait en personne au bureau public du registraire ou par voie électronique, 70 \$;
  - ii. dans les autres cas, 60 \$.
2. Pour le renouvellement de l'enregistrement d'un nom et la confirmation de l'enregistrement :
  - i. si l'enregistrement est fait en personne au bureau public du registraire ou par voie électronique, 70 \$;
  - ii. dans les autres cas, 60 \$.

## (2) Le paragraphe 11 (2) du Règlement est modifié par adjonction des dispositions suivantes :

6. Pour une liste de documents concernant un enregistrement versés au système informatique que le registraire a mis sur pied pour les enregistrements,
  - i. en cas de service non accéléré, 3 \$;
  - ii. en cas de service accéléré, 5 \$.
7. Pour la certification d'une liste visée à la disposition 6, 8 \$ en plus des droits exigibles aux termes de cette disposition.
8. Pour la reproduction d'un document inclus dans un dossier concernant un nom enregistré :
  - i. en cas de service non accéléré, 8 \$;
  - ii. en cas de service accéléré, 10 \$.
9. Pour la certification d'une reproduction d'un document inclus dans un dossier, 8 \$ en plus des droits exigibles aux termes de la disposition 8.
10. Pour une liste de noms commerciaux qu'une personne morale a enregistrés aux termes de la Loi et qui sont versés au système informatique que le registraire a mis sur pied pour les enregistrements :
  - i. en cas de service accéléré, 8 \$;
  - ii. en cas de service accéléré, 10 \$.
11. Pour la certification d'une liste visée à la disposition 10, 8 \$ en plus des droits exigibles aux termes de cette disposition.
12. Pour un rapport énonçant les renseignements figurant dans chaque enregistrement d'un nom commercial aux termes de la Loi et versés au système informatique que le registraire a mis sur pied pour les enregistrements :
  - i. en cas de service non accéléré, 8 \$;
  - ii. en cas de service accéléré, 10 \$.
13. Pour la certification d'un rapport visé à la disposition 12, 8 \$ en plus des droits exigibles aux termes de cette disposition.

## (3) L'article 11 du Règlement est modifié par adjonction des paragraphes suivants :

(4) Les droits exigibles pour un service mentionné au paragraphe (2) correspondent aux droits précisés dans ce paragraphe pour un service accéléré si les conditions suivantes sont réunies :

- a) la personne demande que le service lui soit fourni avant la fin du jour ouvrable suivant le jour où elle présente la demande;



(b) the service is provided to the person by the end of the business day following the day of the request.

(5) In subsection (4),

"business day" means a day during which the computer system that the Registrar has established is operational for the purpose of registering and searching under the Act.

2. This Regulation comes into force on September 1, 1996.

b) le service est fourni à la personne avant la fin du jour ouvrable suivant le jour où la demande est présentée.

(5) La définition qui suit s'applique au paragraphe (4).

«jour ouvrable» S'entend d'un jour où le système informatique que le registrateur a mis sur pied fonctionne aux fins des enregistrements et recherches prévus par la Loi.

2. Le présent règlement entre en vigueur le 1<sup>er</sup> septembre 1996.

29/96

# **ONTARIO REGULATION 310/96** made under the **CORPORATIONS ACT**

Made: June 26, 1996

Filed: July 2, 1996

Amending Reg. 181 of R.R.O. 1990  
(General)

Note: Regulation 181 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Regulation 181 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:

33.1 (1) The fee payable for a service set out in the Schedule is the fee set out in the Schedule for expedited service if,

(a) the person who requests the service requests that it be provided by the end of the business day following the day of the request; and

(b) the service is provided to the person by the end of the business day following the day of the request.

(2) In subsection (1),

"business day" means a day during which the Ministry's computer system is operational for the purpose of filing and searching under the Act.

2. (1) Item 9 of the Schedule to the Regulation is revoked and the following substituted:

9. On an application for corrected letters patent or corrected supplementary letters patent under section 16 of the Act,

i. for a corporation without share capital 155.00

ii. for a company ..... 315.00

(2) The Schedule to the Regulation is amended by adding the following items:

10.1 On an application for revival of a corporation without share capital under subsection 317 (10) of the Act ..... 100.00

10.2 On an application for revival of a company under subsection 317 (10) of the Act ..... 315.00

(3) Items 11 and 12 of the Schedule to the Regulation are revoked and the following substituted:

# **RÈGLEMENT DE L'ONTARIO 310/96** pris en application de la **LOI SUR LES PERSONNES MORALES**

pris le 26 juin 1996

déposé le 2 juillet 1996

modifiant le Règl. 181 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Le Règlement 181 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. Le Règlement 181 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de l'article suivant :

33.1 (1) Les droits exigibles pour un service mentionné à l'annexe correspondent aux droits précisés dans l'annexe pour un service accéléré si les conditions suivantes sont réunies :

a) la personne demande que le service lui soit fourni avant la fin du jour ouvrable suivant le jour où elle présente la demande;

b) le service est fourni à la personne avant la fin du jour ouvrable suivant le jour où la demande est présentée.

(2) La définition qui suit s'applique au paragraphe (1).

«jour ouvrable» S'entend d'un jour où le système informatique du ministère fonctionne aux fins des dépôts et recherches prévus par la Loi.

2. (1) Le point 9 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

9. Requête présentée en vue d'obtenir des lettres patentes rectifiées ou des lettres patentes supplémentaires rectifiées aux termes de l'article 16 de la Loi :

i. pour une personne morale sans capital-actions ..... 155,00

ii. pour une compagnie ..... 315,00

(2) L'annexe du Règlement est modifiée par adjonction des points suivants :

10.1 Requête présentée en vue de la reconstitution d'une personne morale sans capital-actions aux termes du paragraphe 317 (10) de la Loi ..... 100,00

10.2 Requête présentée en vue de la reconstitution d'une compagnie aux termes du paragraphe 317 (10) de la Loi ..... 315,00

(3) Les points 11 et 12 de l'annexe du Règlement sont abrogés et remplacés par ce qui suit :



11. For a search to determine if any documents are on file with the Ministry under the Act or a predecessor of it with respect to a corporation and,

i. production of the original documents on file if available but no production of copies ..... 10.00

ii. a microfiche copy of the documents on file if available,

A. non-expedited service ..... 10.00

B. expedited service ..... 20.00

iii. copies on paper of the documents on file ..... 0.80

per page, in addition to the fee payable under clause i or ii

iv. a statement that there is no record for a corporation ..... 10.00

**(4) The Schedule to the Regulation is amended by adding the following items:**

15. For a list of documents recorded as filed in the computer system of the Ministry under the Act or a predecessor of it with respect to a corporation,

i. non-expedited service ..... 3.00

ii. expedited service ..... 5.00

16. For certification of a list described in item 15 ..... 8.00

in addition to the fee payable under that item

**3. This Regulation comes into force on September 1, 1996.**

29/96

11. Demande de recherche pour établir si des documents concernant une personne morale ont été déposés auprès du ministère aux termes de la Loi ou d'une loi que celle-ci remplace et :

i. la production des documents originaux déposés, s'ils sont disponibles, mais non la production de copies .. 10,00

ii. une copie sur microfiche des documents déposés, s'ils sont disponibles :

A. en cas de service non accéléré ..... 10,00

B. en cas de service accéléré .... 20,00

iii. des copies sur papier des documents déposés ..... 0,80

la page, en plus des droits exigibles aux termes de l'alinéa i ou ii

iv. une déclaration indiquant qu'il n'existe pas de dossier à l'égard d'une personne morale ..... 10,00

**(4) L'annexe du Règlement est modifiée par adjonction des points suivants :**

15. Liste de documents concernant une personne morale enregistrés à titre de documents déposés au système informatique du ministère aux termes de la Loi ou d'une loi que celle-ci remplace :

i. en cas de service non accéléré .... 3,00

ii. en cas de service accéléré ..... 5,00

16. Certification d'une liste visée au point 15 ..... 8,00

en plus des droits exigibles aux termes de ce point

**3. Le présent règlement entre en vigueur le 1<sup>er</sup> septembre 1996.**

**ONTARIO REGULATION 311/96**  
made under the  
**CORPORATIONS INFORMATION ACT**

Made: June 26, 1996  
Filed: July 2, 1996

Amending Reg. 182 of R.R.O. 1990  
(General)

Note: Regulation 182 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 8 of Regulation 182 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsections:**

**RÈGLEMENT DE L'ONTARIO 311/96**  
pris en application de la  
**LOI SUR LES RENSEIGNEMENTS EXIGÉS DES PERSONNES MORALES**

pris le 26 juin 1996  
déposé le 2 juillet 1996

modifiant le Règl. 182 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Le Règlement 182 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

**1. L'article 8 du Règlement 182 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction des paragraphes suivants :**

(2) The fee payable for a service set out in the Schedule is the fee set out in the Schedule for expedited service if,

(a) the person who requests the service requests that it be provided by the end of the business day following the day of the request; and

(b) the service is provided to the person by the end of the business day following the day of the request.

(3) In subsection (2),

"business day" means a day during which the Ministry's computer system is operational for the purpose of filing and searching under the Act.

2. Section 9 of the Regulation is amended by adding the following French version:

9. (1) L'avis pour le dépôt spécial exigé à l'article 6 de la Loi est rédigé selon la formule fournie ou approuvée par le ministre.

(2) L'avis peut être envoyé par courrier affranchi ou autrement.

(3) La personne morale à laquelle l'avis est envoyé fait le dépôt spécial dans les 30 jours qui suivent le jour où le ministre envoie l'avis.

3. The Schedule to the Regulation is revoked and the following substituted:

1. For a search to determine if any documents are on file with the Ministry under the Act or a predecessor of it with respect to a corporation and,	
i. production of the original documents on file if available but no production of copies .....	10.00
ii. a microfiche copy of the documents on file if available,	
A. non-expedited service .....	10.00
B. expedited service .....	20.00
iii. copies on paper of the documents on file .....	0.80
	per page, in addition to the fee payable under clause i or ii
2. For certification of a microfiche copy described in clause ii of item 1 .....	26.00
	in addition to the fee payable under that clause
3. For certification of the copies on paper described in clause iii of item 1 .....	26.00
	in addition to the fee payable under that clause

(2) Les droits exigibles pour un service mentionné à l'annexe correspondent aux droits précisés dans l'annexe pour un service accéléré si les conditions suivantes sont réunies :

a) la personne demande que le service lui soit fourni avant la fin du jour ouvrable suivant le jour où elle présente la demande;

b) le service est fourni à la personne avant la fin du jour ouvrable suivant le jour où la demande est présentée.

(3) La définition qui suit s'applique au paragraphe (2).

«jour ouvrable» S'entend d'un jour où le système informatique du ministère fonctionne aux fins des dépôts et recherches prévus par la Loi.

2. L'article 9 du Règlement est modifié par adjonction de la version française suivante :

3. L'annexe du Règlement est abrogée et remplacée par ce qui suit :

1. Demande de recherche pour établir si des documents concernant une personne morale ont été déposés auprès du ministère aux termes de la Loi ou d'une loi que celle-ci remplace et :	
i. la production des documents originaux déposés, s'ils sont disponibles, mais non la production de copies ..	10,00
ii. une copie sur microfiche des documents déposés, s'ils sont disponibles :	
A. en cas de service non accéléré .	10,00
B. en cas de service accéléré ....	20,00
iii. des copies sur papier des documents déposés .....	0,80
	la page, en plus des droits exigibles aux termes de l'alinéa i ou ii
2. Certification d'une copie sur microfiche visée à l'alinéa ii du point 1 .....	26,00
	en plus des droits exigibles aux termes de cet alinéa
3. Certification des copies sur papier visées à l'alinéa iii du point 1 .....	26,00
	en plus des droits exigibles aux termes de cet alinéa



4. For a list of documents recorded as filed in the computer system of the Ministry under the Act or a predecessor of it with respect to a corporation,

i. non-expedited service .....	3.00
ii. expedited service .....	5.00

5. For certification of a list described in item 4 . 8.00  
in addition to  
the fee pay-  
able under  
that item

6. For a profile report setting out the information contained in the documents recorded as filed in the computer system of the Ministry under the Act or a predecessor of it with respect to a corporation,

i. non-expedited service .....	8.00
ii. expedited service .....	10.00

7. For certification of a report described in item 6 8.00  
in addition to  
the fee pay-  
able under  
that item

8. For a report setting out the information contained in the documents recorded as filed in the computer system of the Ministry under the Act or a predecessor of it with respect to a corporation on a specified date before the date of the request,

i. non-expedited service .....	8.00
ii. expedited service .....	10.00

9. For certification of a report described in item 8 8.00  
in addition to  
the fee pay-  
able under  
that item

4. Except for section 2, this Regulation comes into force on September 1, 1996.

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4. Liste des documents concernant une personne morale et enregistrés à titre de documents déposés au système informatique du ministère aux termes de la Loi ou d'une loi que celle-ci remplace :

i. en cas de service non accéléré ....	3,00
ii. en cas de service accéléré .....	5,00

5. Certification d'une liste visée au point 4 . 8,00  
en plus des  
droits exigi-  
bles aux  
termes de ce  
point

6. Rapport sommaire énonçant les renseignements figurant dans les documents concernant une personne morale enregistrés à titre de documents déposés au système informatique du ministère aux termes de la Loi ou d'une loi que celle-ci remplace :

i en cas de service non accéléré ....	8,00
ii. en cas de service accéléré .....	10,00

7. Certification d'un rapport visé au point 6 . 8,00  
en plus des  
droits exigi-  
bles aux  
termes de ce  
point

8. Rapport énonçant les renseignements figurant dans les documents concernant une personne morale enregistrés à titre de documents déposés au système informatique du ministère aux termes de la Loi ou d'une loi que celle-ci remplace à une date précisée avant la date de présentation de la demande :

i. en cas de service non accéléré ....	8,00
ii. en cas de service accéléré .....	10,00

9. Certification d'un rapport visé au point 8 . 8,00  
en plus des  
droits exigi-  
bles aux  
termes de ce  
point

4. Le présent règlement, sauf l'article 2, entre en vigueur le 1<sup>er</sup> septembre 1996.

**ONTARIO REGULATION 312/96**  
made under the  
**EXTRA-PROVINCIAL CORPORATIONS ACT**

Made: June 26, 1996  
Filed: July 2, 1996

Amending Reg. 365 of R.R.O. 1990  
(General)

Note: Regulation 365 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 13 of Regulation 365 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsections:

(3) The fee payable for a service set out in the Schedule is the fee set out in the Schedule for expedited service if,

(a) the person who requests the service requests that it be provided by the end of the business day following the day of the request; and

(b) the service is provided to the person by the end of the business day following the day of the request.

(4) In subsection (3),

“business day” means a day during which the Ministry’s computer system is operational for the purpose of filing and searching under the Act.

2. (1) The Schedule to the Regulation is amended by adding the following item:

2.1 Upon application for a licence or an amended licence that has been corrected under section 13 of the Act ..... 315.00

(2) Items 3 and 4 of the Schedule to the Regulation are revoked and the following substituted:

3. For a search to determine if any documents are on file with the Ministry under the Act or a predecessor of it with respect to a corporation and,

i. production of the original documents on file if available but no production of copies ..... 10.00

ii. a microfiche copy of the documents on file if available,

A. non-expedited service ..... 10.00

B. expedited service ..... 20.00

iii. copies on paper of the documents on file ..... 0.80  
per page, in addition to the fee payable under clause i or ii

iv. a statement that there is no record for a corporation ..... 10.00

**RÈGLEMENT DE L'ONTARIO 312/96**  
pris en application de la  
**LOI SUR LES PERSONNES MORALES**  
**EXTRAPROVINCIALES**

pris le 26 juin 1996  
déposé le 2 juillet 1996

modifiant le Règl. 365 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Le Règlement 365 n’a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l’Ontario de 1995.

1. L'article 13 du Règlement 365 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction des paragraphes suivants :

(3) Les droits exigibles pour un service mentionné à l'annexe correspondent aux droits précisés dans l'annexe pour un service accéléré si les conditions suivantes sont réunies :

a) la personne demande que le service lui soit fourni avant la fin du jour ouvrable suivant le jour où elle présente la demande;

(b) le service est fourni à la personne avant la fin du jour ouvrable suivant le jour où la demande est présentée.

(4) La définition qui suit s'applique au paragraphe (3).

«jour ouvrable» S'entend d'un jour où le système informatique du ministère fonctionne aux fins des dépôts et recherches prévus par la Loi.

2. (1) L'annexe du Règlement est modifiée par adjonction du point suivant :

2.1 Demande de permis ou de permis modifié qui a été rectifié aux termes de l'article 13 de la Loi ..... 315,00

(2) Les points 3 et 4 de l'annexe du Règlement sont abrogés et remplacés par ce qui suit :

3. Demande de recherche pour établir, si des documents concernant une personne morale ont été déposés auprès du ministère aux termes de la Loi ou d'une loi que celle-ci remplace et :

i. la production des documents originaux déposés, s'ils sont disponibles, mais non la production de copies ..... 10,00

ii. une copie sur microfiche des documents déposés, s'ils sont disponibles :

A. en cas de service non accéléré ..... 10,00

B. en cas de service accéléré .... 20,00

iii. des copies sur papier des documents déposés ..... 0,80  
la page, en plus des droits exigibles aux termes de l'alinéa i ou ii

iv. une déclaration indiquant qu'il n'existe pas de dossier à l'égard d'une personne morale ..... 10,00



(3) The Schedule to the Regulation is amended by adding the following items:

7. For a list of documents recorded as filed in the computer system of the Ministry under the Act or a predecessor of it with respect to a corporation,
- i. non-expedited service .....

3.00

ii. expedited service .....

5.00
8. For certification of a list described in item 7 . 8.00
- in addition to the fee payable under that item

3. This Regulation comes into force on September 1, 1996.

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ONTARIO REGULATION 313/96  
made under the  
LIMITED PARTNERSHIPS ACT

Made: June 26, 1996  
Filed: July 2, 1996

Amending Reg. 713 of R.R.O. 1990  
(General)

Note: Regulation 713 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 4 of Regulation 713 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsections:

(3) The fee payable for a service set out in the Schedule is the fee set out in the Schedule for expedited service if,

(a) the person who requests the service requests that it be provided by the end of the business day following the day of the request; and

(b) the service is provided to the person by the end of the business day following the day of the request.

(4) In subsection (3),

“business day” means a day during which the Ministry’s computer system is operational for the purpose of filing and searching under the Act.

2. The Schedule to the Regulation is amended by adding the following items:

9. For a list of documents recorded as filed in the computer system of the Ministry under the Act with respect to a person,
- i. non-expedited service .....

3.00

ii. expedited service .....

5.00

(3) L'annexe du Règlement est modifiée par adjonction des points suivants :

7. Liste des documents concernant une personne morale enregistrés à titre de documents déposés au système informatique du ministère aux termes de la Loi ou d'une loi que celle-ci remplace :
- i. en cas de service non accéléré ....

3,00

ii. en cas de service accéléré .....

5,00
8. Certification d'une liste visée au point 7 . 8,00
- en plus des droits exigibles aux termes de ce point

3. Le présent règlement entre en vigueur le 1<sup>er</sup> septembre 1996

RÈGLEMENT DE L'ONTARIO 313/96  
pris en application de la  
LOI SUR LES SOCIÉTÉS EN COMMANDITE

pris le 26 juin 1996  
déposé le 2 juillet 1996

modifiant le Règl. 713 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Le Règlement 713 n’a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l’Ontario de 1995.

1. L'article 4 du Règlement 713 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction des paragraphes suivants :

(3) Les droits exigibles pour un service mentionné à l'annexe correspondent aux droits précisés dans l'annexe pour un service accéléré si les conditions suivantes sont réunies :

a) la personne demande que le service lui soit fourni avant la fin du jour ouvrable suivant le jour où elle présente la demande;

b) le service est fourni à la personne avant la fin du jour ouvrable suivant le jour où la demande est présentée.

(4) La définition qui suit s'applique au paragraphe (3).

«jour ouvrable» S'entend d'un jour où le système informatique du ministère fonctionne aux fins des dépôts et recherches prévus par la Loi.

2. L'annexe du Règlement est modifiée par adjonction des points suivants :

9. Liste de documents concernant une personne enregistrés à titre de documents déposés au système informatique du ministère aux termes de la Loi :
- i. en cas de service non accéléré ....

3,00

ii. en cas de service accéléré .....

5,00

- |   |   |
|---|---|
| <p>10. For certification of a list described in item 9 . . . . . 8.00<br/>in addition to<br/>the fee pay-<br/>able under<br/>that item</p> <p>11. For a replica of a document recorded as filed<br/>in the computer system of the Ministry under<br/>the Act with respect to a person,</p> <p style="padding-left: 40px;">i. non-expedited service . . . . . 8.00</p> <p style="padding-left: 40px;">ii. expedited service . . . . . 10.00</p> <p>12. For certification of a replica of a document<br/>recorded as filed in the computer system of the<br/>Ministry under the Act with respect to a person . . . . . 8.00<br/>in addition to<br/>the fee pay-<br/>able under<br/>item 11</p> <p>13. For a report setting out the information<br/>contained in the documents recorded as filed<br/>in the computer system of the Ministry under<br/>the Act with respect to a person,</p> <p style="padding-left: 40px;">i. non-expedited service . . . . . 8.00</p> <p style="padding-left: 40px;">ii. expedited service . . . . . 10.00</p> <p>14. For certification of a report described in<br/>item 13 . . . . . 8.00<br/>in addition to<br/>the fee pay-<br/>able under<br/>that item</p> <p>3. This Regulation comes into force on September 1, 1996.</p> | <p>10. Certification d'une liste visée au point 9 . . . . . 8,00<br/>en plus des<br/>droits exigi-<br/>bles aux<br/>termes de ce<br/>point</p> <p>11. Reproduction d'un document concernant<br/>une personne enregistré à titre de document<br/>déposé au système informatique du minist-<br/>ère aux termes de la Loi :</p> <p style="padding-left: 40px;">i. en cas de service non accéléré . . . . . 8,00</p> <p style="padding-left: 40px;">ii. en cas de service accéléré . . . . . 10,00</p> <p>12. Certification d'une reproduction d'un docu-<br/>ment concernant une personne enregistré à<br/>titre de document déposé au système infor-<br/>matique du ministère aux termes de la Loi . . . . . 8,00<br/>en plus des<br/>droits exigi-<br/>bles aux<br/>termes du<br/>point 11</p> <p>13. Rapport énonçant les renseignements figu-<br/>rant dans les documents concernant une<br/>personne enregistrés à titre de documents<br/>déposés au système informatique du minist-<br/>ère aux termes de la Loi :</p> <p style="padding-left: 40px;">i. en cas de service non accéléré . . . . . 8,00</p> <p style="padding-left: 40px;">ii. en cas de service accéléré . . . . . 10,00</p> <p>14. Certification d'un rapport visé au point 13 . . . . . 8,00<br/>en plus des<br/>droits exigi-<br/>bles aux<br/>termes de ce<br/>point</p> <p>3. Le présent règlement entre en vigueur le 1<sup>er</sup> septembre 1996.</p> |
|---|---|

9/96

**ONTARIO REGULATION 314/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: May 31, 1996  
Approved: June 26, 1996  
Filed: July 2, 1996

Amending Reg. 253 of R.R.O. 1990  
(Crop Insurance Plan—Tomatoes)

Note: Regulation 253 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Clause 9 (1) (a) of the Schedule to Regulation 253 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(a) 80 per cent of the average farm yield in tons for the planted acreage that the Commission accepts for coverage;

(2) Subsection 9 (3) of the Schedule to the Regulation is revoked.

(3) Subsection 11 (1) of the Schedule to the Regulation is revoked and the following substituted:

**RÈGLEMENT DE L'ONTARIO 314/96**  
pris en application de la  
**LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)**

pris le 31 mai 1996  
approuvé le 26 juin 1996  
déposé le 2 juillet 1996

modifiant le Règl. 253 des R.R.O. de 1990  
(Régime d'assurance-récolte sur les tomates)

Remarque : Le Règlement 253 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. (1) L'alinéa 9 (1) a) de l'annexe du Règlement 253 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

(a) 80 pour cent du rendement moyen de l'exploitation agricole, calculé en tonnes, de la superficie plantée que la Commission accepte de garantir;

(2) Le paragraphe 9 (3) de l'annexe du Règlement est abrogé.

(3) Le paragraphe 11 (1) de l'annexe du Règlement est abrogé et remplacé par ce qui suit :



(1) The total premium payable per acre is the amount shown in the column of the Table opposite the established price per ton.

TABLE

Total Premium Payable Per Acre	Established Price Per Ton
\$66.90	\$70
\$76.40	\$80
\$86.00	\$90

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
Chair

MATT TULLOCH  
Secretary

Dated at Toronto on May 31, 1996.

29/96

(1) La prime totale à verser par acre est le montant indiqué dans le tableau en regard du prix fixé à la tonne.

TABLEAU

Prime totale à verser par acre	Prix fixé à la tonne
66,90 \$	70 \$
76,40 \$	80 \$
86,00 \$	90 \$

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE

WILLIAM JONGEJAN  
Président

MATT TULLOCH  
Secrétaire

Fait à Toronto le 31 mai 1996.

**ONTARIO REGULATION 315/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: May 31, 1996  
Approved: June 26, 1996  
Filed: July 2, 1996

Amending Reg. 243 of R.R.O. 1990  
(Crop Insurance Plan—Red Beets)

Note: Regulation 243 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) The Table to subsection 14 (1) of the Schedule to Regulation 243 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

TABLE

Percentage Chosen by Insured	Base Premium Per Acre
70%	\$21.60
75%	\$24.00
80%	\$32.40

(2) The Schedule to the Regulation is amended by adding the following section:

**FINAL PLANTING DATE**

19. For the purposes of this plan, the final date for planting red beets in a crop year is June 30 or the date that the Commission may determine.

**RÈGLEMENT DE L'ONTARIO 315/96**  
pris en application de la  
**LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)**

pris le 31 mai 1996  
approuvé le 26 juin 1996  
déposé le 2 juillet 1996

modifiant le Règl. 243 des R.R.O. de 1990  
(Régime d'assurance-récolte sur les betteraves)

Remarque : Le Règlement 243 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. (1) Le tableau figurant au paragraphe 14 (1) de l'annexe du Règlement 243 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

TABLEAU

Pourcentage choisi par l'assuré	Taux de prime de base par acre
70 %	21,60 \$
60 %	24,00 \$
80 %	32,40 \$

(2) L'annexe du Règlement est modifiée par adjonction de l'article suivant :

**DATE LIMITE DE LA PLANTATION**

19. Dans le cadre du présent régime, la date limite de la plantation de betteraves rouges au cours d'une campagne agricole est le 30 juin ou la date que peut fixer la Commission.

2. (1) Clause 9 (1) (a) of Form 1 of the Regulation is revoked and the following substituted:

(a) the replanting of the damaged acreage, if it is completed not later than June 30 in the same crop year;

(2) Subparagraphs 9 (2) and (3) of Form 1 of the Regulation are revoked and the following substituted:

(2) If the Commission gives a consent under subparagraph (1), it shall pay an indemnity to the insured person equal to the cost of materials for replanting the damaged acreage to red beets, up to a maximum of \$340 per damaged acre.

(3) The contract of insurance continues to apply to the damaged acreage only if it is replanted to red beets.

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
Chair

MATT TULLOCH  
Secretary

Dated at Toronto on May 31, 1996.

29/96

**ONTARIO REGULATION 316/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: June 7, 1996  
Approved: June 26, 1996  
Filed: July 2, 1996

Amending Reg. 252 of R.R.O. 1990  
(Crop Insurance Plan—Sweet Corn)

Note: Regulation 252 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Subsection 12 (1) of the Schedule to Regulation 252 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(1) Subject to subsection (2), the total premium payable in respect of acreage under contract to a processor is \$23.20 per acre.

2. Subparagraphs 10 (2) and (3) of Form 1 of the Regulation are revoked and the following substituted:

(2) If the Commission gives a consent under subparagraph (1), it shall pay an indemnity to the insured person equal to the cost of materials for replanting the damaged acreage to sweet corn, up to a maximum of \$85 per damaged acre.

(3) The contract of insurance continues to apply to the damaged acreage only if it is replanted to sweet corn.

2. (1) L'alinéa 9 (1) a) de la formule 1 du Règlement est abrogé et remplacé par ce qui suit :

a) à la replantation de la superficie endommagée si elle est terminée au plus tard le 30 juin au cours de la campagne agricole;

(2) Les sous-dispositions 9 (2) et (3) de la formule 1 du Règlement sont abrogées et remplacées par ce qui suit :

(2) Si la Commission donne un consentement visé à la sous-disposition (1), elle paie à l'assuré une indemnité égale au coût des matériaux nécessaires à la replantation des betteraves rouges sur la superficie endommagée, jusqu'à un maximum de 340 \$ pour chaque acre endommagé.

(3) Le contrat d'assurance continue de s'appliquer à la superficie endommagée seulement si les betteraves rouges sont replantées sur celle-ci.

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE :

WILLIAM JONGEJAN  
Président

MATT TULLOCH  
Secrétaire

Fait à Toronto le 31 mai 1996.

**RÈGLEMENT DE L'ONTARIO 316/96**  
pris en application de la  
**LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)**

pris le 7 juin 1996  
approuvé le 26 juin 1996  
déposé le 2 juillet 1996

modifiant le Règl. 252 des R.R.O. de 1990  
(Régime d'assurance-récolte sur le maïs sucré)

Remarque : Le Règlement 252 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. Le paragraphe 12 (1) de l'annexe du Règlement 252 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

(1) Sous réserve du paragraphe (2), la prime totale devant être versée, à l'égard de la superficie visée par un contrat conclu avec un transformateur, est de 23,20 \$ l'acre.

2. Les sous-dispositions 10 (2) et (3) de la formule 1 du Règlement sont abrogées et remplacées par ce qui suit :

(2) Si la Commission donne un consentement visé à la sous-disposition (1), elle paie à l'assuré une indemnité égale au coût des matériaux nécessaires à la replantation du maïs sucré sur la superficie endommagée, jusqu'à un maximum de 85 \$ pour chaque acre endommagé.

(3) Le contrat d'assurance continue de s'appliquer à la superficie endommagée seulement si le maïs sucré est replanté sur celle-ci.



3. Subparagraphs 5 (1) and (2) of Form 2 of the Regulation are revoked and the following substituted:

(1) The additional premium payable in the crop year for 5 per cent extra coverage in respect of acreage under contract to a processor is \$8.20 per acre.

(2) The additional premium payable in the crop year for 10 per cent extra coverage in respect of acreage under contract to a processor is \$18.40 per acre.

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
Chair

MATT TULLOCH  
Secretary

Dated at Toronto on June 7, 1996.

29/96

3. Les sous-dispositions 5 (1) et (2) de la formule 2 du Règlement sont abrogées et remplacées par ce qui suit :

(1) La prime supplémentaire payable au cours de la campagne agricole pour une garantie supplémentaire de 5 pour cent à l'égard de la superficie visée par un contrat conclu avec un transformateur est de 8,20 \$ l'acre.

(2) La prime supplémentaire payable au cours de la campagne agricole pour une garantie supplémentaire de 10 pour cent à l'égard de la superficie visée par un contrat conclu avec un transformateur est de 18,40 \$ l'acre.

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE

WILLIAM JONGEJAN  
Président

MATT TULLOCH  
Secrétaire

Fait à Toronto le 7 juin 1996.

ONTARIO REGULATION 317/96  
made under the  
CROP INSURANCE ACT (ONTARIO)

Made: June 7, 1996  
Approved: June 26, 1996  
Filed: July 2, 1996

Amending Reg. 237 of R.R.O. 1990  
(Crop Insurance Plan—Peas)

Note: Regulation 237 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Subsection 12 (1) of the Schedule to Regulation 237 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(1) The total premium payable in respect of acreage under contract to a processor is \$50.00 per acre.

(2) Clause 13 (b) of the Schedule to the Regulation is revoked and the following substituted:

(b) in the Counties of Elgin, Huron, Middlesex, Oxford and Perth and in eastern Ontario, being the part of Ontario lying east of the boundary between The Regional Municipality of York and The Municipality of Metropolitan Toronto on the west and The Regional Municipality of Durham on the east, June 15; and

2. Subparagraphs 5 (2) and (3) of Form 1 of the Regulation are revoked and the following substituted:

(2) If the Commission gives a consent under subparagraph (1), it shall pay an indemnity to the insured person equal to the cost of materials for replanting the damaged acreage to peas, up to a maximum of \$160 per damaged acre.

RÈGLEMENT DE L'ONTARIO 317/96  
pris en application de la  
LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)

pris le 7 juin 1996  
approuvé le 26 juin 1996  
déposé le 2 juillet 1996

modifiant le Règl. 237 des R.R.O. de 1990  
(Régime d'assurance-récolte sur les pois)

Remarque : Le Règlement 237 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. (1) Le paragraphe 12 (1) de l'annexe du Règlement 237 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

(1) La prime totale payable à l'égard de la superficie visée par un contrat conclu avec le transformateur est de 50,00 \$ l'acre.

(2) L'alinéa 13 b) de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

b) le 15 juin, dans les comtés d'Elgin, de Huron, de Middlesex, d'Oxford et de Perth et dans l'est de l'Ontario, comprenant la partie de l'Ontario située à l'est de la limite entre la municipalité régionale de York et la municipalité de la communauté urbaine de Toronto à l'ouest et la municipalité régionale de Durham à l'est;

2. Les sous-dispositions 5 (2) et (3) de la formule 1 du Règlement sont abrogées et remplacées par ce qui suit :

(2) Si la Commission donne un consentement visé à la sous-disposition (1), elle paie à l'assuré une indemnité égale au coût des matériaux nécessaires à la replantation des pois sur la superficie endommagée, jusqu'à un maximum de 160 \$ pour chaque acre endommagé.

(3) The contract of insurance continues to apply to the damaged acreage only if it is replanted to peas.

(3) Le contrat d'assurance continue de s'appliquer à la superficie endommagée seulement si les pois sont replantés sur celle-ci.

THE CROP INSURANCE COMMISSION OF ONTARIO:

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE :

WILLIAM JONGEJAN  
*Chair*

WILLIAM JONGEJAN  
*Président*

MATT TULLOCH  
*Secretary*

MATT TULLOCH  
*Secrétaire*

Dated at Toronto on June 7, 1996.

Fait à Toronto le 7 juin 1996.

9/96

**ONTARIO REGULATION 318/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: May 31, 1996  
Approved: June 26, 1996  
Filed: July 2, 1996

Amending Reg. 223 of R.R.O. 1990  
(Crop Insurance Plan—Cucumbers)

Note: Regulation 223 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 18 of the Schedule to Regulation 223 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

18. For the purposes of this plan, the final date for planting cucumbers in a crop year is June 30 or the date that the Commission may determine.

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
*Chair*

MATT TULLOCH  
*Secretary*

Dated at Toronto on May 31, 1996.

9/96

**RÈGLEMENT DE L'ONTARIO 318/96**  
pris en application de la  
**LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)**

pris le 31 mai 1996  
approuvé le 26 juin 1996  
déposé le 2 juillet 1996

modifiant le Règl. 223 des R.R.O. de 1990  
(Régime d'assurance-récolte sur les concombres)

Remarque : Le Règlement 223 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. L'article 18 de l'annexe du Règlement 223 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

18. Dans le cadre du présent régime, la date limite de la plantation des concombres au cours d'une campagne agricole est le 30 juin ou la date que peut fixer la Commission.

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE :

WILLIAM JONGEJAN  
*Président*

MATT TULLOCH  
*Secrétaire*

Fait à Toronto le 31 mai 1996.



**ONTARIO REGULATION 319/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: May 31, 1996  
Approved: June 26, 1996  
Filed: July 2, 1996

Amending Reg. 246 of R.R.O. 1990  
(Crop Insurance Plan—Seed Corn)

**Note:** Regulation 246 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Subsections 11 (2) and (3) of the Schedule to Regulation 246 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

(2) The premium payable in the crop year is determined by multiplying the amount of the total guaranteed production by the premium rate as determined under subsection (3) and the established price.

(3) The premium rate is determined by multiplying (1 + A) by 7.3 per cent.

(2) Clause 12 (2) (a) of the Schedule to the Regulation is revoked and the following substituted:

(a) a unit value that meets the test set out in section 12 of the *Crop Insurance Regulations, 1990* (Canada); and

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
Chair

MATT TULLOCH  
Secretary

Dated at Toronto on May 31, 1996.

29/96

**ONTARIO REGULATION 320/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: May 31, 1996  
Approved: June 26, 1996  
Filed: July 2, 1996

Amending Reg. 248 of R.R.O. 1990  
(Crop Insurance Plan—Specialty Crops)

**Note:** Regulation 248 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Clause 16 (1) (d) of the Schedule to Regulation 248 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

**RÈGLEMENT DE L'ONTARIO 319/96**  
pris en application de la  
**LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)**

pris le 31 mai 1996  
approuvé le 26 juin 1996  
déposé le 2 juillet 1996

modifiant le Règl. 246 des R.R.O. de 1990  
(Régime d'assurance-récolte sur le maïs de semence)

**Remarque :** Le Règlement 246 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. (1) Les paragraphes 11 (2) et (3) de l'annexe du Règlement 246 des Règlements refondus de l'Ontario de 1990 sont abrogés et remplacés par ce qui suit :

(2) La prime payable au cours de la campagne agricole est déterminée en multipliant le montant de la production totale garantie par le taux de la prime déterminé aux termes du paragraphe (3) et le prix fixé.

(3) Le taux de la prime est déterminé en multipliant (1 + A) par 7,3 pour cent.

(2) L'alinéa 12 (2) a) de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

a) une valeur unitaire qui satisfait aux exigences du test prévu à l'article 12 du *Règlement de 1990 sur l'assurance-récolte* (Canada);

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE

WILLIAM JONGEJAN  
Président

MATT TULLOCH  
Secrétaire

Fait à Toronto le 31 mai 1996.

**RÈGLEMENT DE L'ONTARIO 320/96**  
pris en application de la  
**LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)**

pris le 31 mai 1996  
approuvé le 26 juin 1996  
déposé le 2 juillet 1996

modifiant le Règl. 248 des R.R.O. de 1990  
(Régime d'assurance-récolte sur les cultures spéciales)

**Remarque :** Le Règlement 248 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. L'alinéa 16 (1) d) de l'annexe du Règlement 248 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

(d) June 30 for all other specialty crops.

d) le 30 juin, dans le cas des autres cultures spéciales.

THE CROP INSURANCE COMMISSION OF ONTARIO:

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE :

WILLIAM JONGEJAN  
ChairWILLIAM JONGEJAN  
PrésidentMATT TULLOCH  
SecretaryMATT TULLOCH  
Secrétaire

Dated at Toronto on May 31, 1996.

Fait à Toronto le 31 mai 1996.

29/96

**ONTARIO REGULATION 321/96**  
made under the  
**MUNICIPAL BOUNDARY NEGOTIATIONS ACT**Made: June 26, 1996  
Filed: July 3, 1996Amending O. Reg. 393/95  
(Town of Blenheim, Township of Harwich Boundary)

Note: Ontario Regulation 393/95 has not previously been amended.

**1. The Schedule to Ontario Regulation 393/95 is revoked and the following substituted:****Schedule****AREA TO BE ANNEXED TO THE TOWN OF BLENHEIM**

That parcel of land in the Township of Harwich in the County of Kent being part of King's Highway Number 40 as widened, and part of the road allowance between Lots 12 and 13, Concession 1, East of Communication Road (E.C.R.), Township of Harwich and part of the road allowance between Lots 12 and 13, Concession 1, West of Communication Road (W.C.R.), Township of Harwich, more particularly described as follows:

Whereas the northeastern limit of King's Highway Number 40 as widened and as shown on Plan deposited in the Land Registry Office for the Registry Division of Kent (No. 24) as Number 24R 293 has an astronomic bearing of North 56° 18' West.

Beginning at the intersection of the northeastern limit of the said King's Highway Number 40 as widened and the northwesterly boundary of the Town of Blenheim said point being the easterly angle of Part 1, Reference Plan 24R 293.

Thence northwesterly along the northeastern limit of the said King's Highway 40 as widened, said northeastern limit also being the northeastern limit of Parts 1, 2 and 3, Reference Plan 24R 293, 1,926.54 feet to a point on the said northeastern limit of the said King's Highway Number 40 as widened, being also on the northeastern limit of Part 3, Reference Plan 24R 293.

Thence North 37° 52' West a distance of 63.25 feet along the said northeastern limit of King's Highway Number 40 as widened and also

being along the northeasterly limit of said Part 3, Reference Plan 24R 293 to a point on the southeasterly limit of the road allowance between Lots 12 and 13, Concession 1, E.C.R., Township of Harwich.

Thence North 56° 18' West to the northwesterly limit of the said road allowance between Lots 12 and 13, Concession 1, E.C.R., Township of Harwich.

Thence South 33° 42' West along the northwesterly limit of the said road allowance between Lots 12 and 13, Concession 1, E.C.R., Township of Harwich a distance of 47.83 feet to a point.

Thence Southwesterly a distance of 66 feet to the northeasterly angle of Lot 13, Concession 1, W.C.R., Township of Harwich.

Thence South 32° 55' West along the northwesterly limit of the road allowance between Lots 12 and 13, Concession 1, W.C.R., Township of Harwich 26.17 feet to a point, said point being the most southerly point on Part 19, Reference Plan 24R 294.

Thence South 56° 18' East a distance of 66 feet to the southeasterly limit of the road allowance between Lots 12 and 13, Concession 1, W.C.R., Township of Harwich said point also being the most westerly point of Part 4, Reference Plan 24R 293.

Thence South 74° 49' East along the southwesterly limit of King's Highway Number 40 as widened a distance of 62.98 feet to a point.

Thence South 56° 18' East along the southwesterly limit of King's Highway Number 40 as widened also being the southwesterly limit of Parts 4 to 16 inclusive, Reference Plan 24R 293 a distance of 1,927.05 feet to a point on the limit between Lot 11 and Lot 12, Concession 1, W.C.R., Township of Harwich, said point also being the most southerly angle of Part 16, Reference Plan 24R 293.

Thence North 32° 52' 30" East 17 feet to a point.

Thence North 33° 08' East 66 feet to a point.

Thence North 33° 14' 30" East 17 feet to a point, being the point of commencement.

29/96



**ONTARIO REGULATION 322/96**made under the  
**PLANNING ACT**

Made: June 28, 1996

Filed: July 3, 1996

Amending O. Reg. 834/81  
(Restricted Areas—District of Sudbury,  
Territorial District of Sudbury)

Note: Since January 1996, Ontario Regulation 834/81 has been amended by Ontario Regulations 4/96 and 174/96. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1995.

**1. Schedule 1 to Ontario Regulation 834/81 is amended by adding the following section:**

150. (1) Despite section 8 and subsection 23 (3), one single dwelling, together with accessory buildings and structures, may be erected, located and used on the lands described in subsection (2), if the following requirements are met:

1. Minimum lot area	2,000	square metres
2. Minimum lot frontage	22.85	metres
3. Minimum front yard	11	metres
4. Minimum rear yard	11	metres
5. Minimum side yards	6	metres
6. Maximum height of dwelling	9	metres

(2) Subsection (1) applies to those lands in the geographic Township of Cleland in the Territorial District of Sudbury, being composed of part of Lot 12, in Concession 11, designated as Part 3 on Registered Plan SR-2922, deposited in the Land Registry Office for the Land Titles Division of Sudbury (No. 53).

RONALD R. KENNEDY  
*Director (Acting)*  
Provincial Planning Services Branch  
Ministry of Municipal Affairs and Housing

Dated at Toronto on June 28, 1996.

29/96

**ONTARIO REGULATION 323/96**made under the  
**PLANNING ACT**

Made: July 3, 1996

Filed: July 4, 1996

Amending O. Reg. 104/72  
(Restricted Areas—Regional Municipality of York,  
Town of Markham)

Note: Since January 1, 1996, Ontario Regulation 104/72 has been amended by Ontario Regulations 142/96, 144/96 and 285/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1995.

**1. Ontario Regulation 104/72 is amended by adding the following section:**

75. (1) Despite section 5, a barn together with accessory building and structures may be erected, located and used on the lands described in subsection (2), if the following requirements are met:

Minimum lot area	4.1 hectares
Minimum lot frontage	100.6 metres
Minimum front yard	7.5 metres
Minimum rear yards	7.5 metres
Minimum side yard	6.0 metres

(2) Subsection (1) applies to that parcel of land in the Town of Markham in the Regional Municipality of York being part of Lot 29 Concession X, described as follows:

All and Singular that certain parcel or tract of land and premises situate lying and being in the Township of Markham, in the County of York, Province of Ontario, containing by admeasurement 10.027 acres more or less and being composed of part of Lot 29, in the Tenth Concession of the said Township, the said parcel being more particularly described as follows:

PREMISING that the northerly part of the easterly limit of Lot 29 has a bearing of North 13 degrees 23 minutes 40 seconds West and relating all bearings herein thereto, then

COMMENCING at a point in the said easterly limit of Lot 29 distant southerly therealong three hundred and thirty-three decimal five six feet (333.56') from the north-east angle thereof;

THENCE North 13 degrees 23 minutes 40 seconds West along the said easterly limit of Lot 29, three hundred and thirty-three decimal five six feet (333.56') to the north-east angle of the said Lot 29;

THENCE South 71 degrees 03 minutes 40 seconds West along a post and wire fence marking the northerly limit of the said Lot 29, one thousand three hundred and nineteen decimal nine five feet (1,319.95') to an iron bar planted;

THENCE South 14 degrees 53 minutes 40 seconds East, along a post and wire fence three hundred and thirty-two decimal eight three feet (332.83') to an iron bar planted;

THENCE North 71 degrees 03 minutes 40 seconds East one thousand three hundred and eleven decimal one nine feet (1,311.19') more or less to the point of commencement.

RONALD R. KENNEDY  
*Director (Acting)*  
Provincial Planning Services Branch  
Ministry of Municipal Affairs and Housing

Dated at Toronto on July 3, 1996.

29/96

# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—07—27

## ONTARIO REGULATION 324/96 made under the ONTARIO DRUG BENEFIT ACT

Made: June 19, 1996

Filed: July 8, 1996

Amending O. Reg. 201/96  
(General)

Note: Ontario Regulation 201/96 has not previously been amended.

**1. Section 1 of Ontario Regulation 201/96 is amended by adding the following definition:**

"Ministry" means the Ministry of Health.

**2. The Regulation is amended by adding the following sections:**

### CO-PAYMENT

**20.1** For the purposes of subsection 6 (1) of the Act and subject to section 20.2, the maximum co-payment that the operator of a pharmacy may charge a person other than the Minister in respect of supplying a listed drug product for an eligible person is \$2.00 or the operator's usual and customary dispensing fee, whichever is less.

**20.2 (1)** For the purposes of subsection 6 (1) of the Act, the maximum co-payment in respect of a listed drug product that is supplied for an eligible person described in subsection (3) is,

(a) if, at the time the listed drug product is supplied, the eligible person's allowable drug costs for the current fiscal year are less than \$100, the lesser of,

(i) the difference between \$100 and that amount, and

(ii) the sum of the full amount otherwise payable by the Minister under the Act in respect of supplying the listed drug product and the amount equal to the dispensing fee payable under subsection 6 (2) of the Act; and

(b) if, at the time the listed drug product is supplied, the eligible person's allowable drug costs for the current fiscal year are \$100 or more, the amount equal to the dispensing fee payable under subsection 6 (2) of the Act.

(2) For the purposes of subsection (1),

"allowable drug costs" means the sum of,

(a) any amount spent on co-payments in respect of listed drug products supplied for an eligible person in the current fiscal year, and

(b) any amount spent in respect of nutritional products or diabetic testing agents supplied for the eligible person in the current fiscal year that, in the absence of the co-payment scheme applied in respect of those products and agents, would have been paid by the Ministry under Part IX of the Formulary;

"fiscal year" means the period of July 15, 1996 to March 31, 1997 and, for each subsequent year, the twelve month period that begins on April 1 of each year and ends on March 31 of the following.

(3) This section applies with respect to eligible persons referred to in paragraph 4 of subsection 2 (1) who are not part of any other class of eligible persons under the Act. However, the section does not apply if,

(a) the eligible person,

(i) is single and has a net annual income of less than \$16,018.00, or

(ii) has a spouse or partner and, together with his or her spouse or partner, has a net annual income of less than \$24,175.00; and

(b) the Ministry has been informed of the facts referred to in clause (a).

(4) A person who is a spouse or partner of another person under subsections 5 (2), (3) and (4) is a spouse or partner of that person for the purposes of subclause (3) (a) (ii).

**3. Section 21 of the Regulation is amended by adding the following subsections:**

(5) If the premises from which the operator of a pharmacy dispenses drugs are not electronically connected to the Health Network and, as a result, the operator does not submit claims by direct electronic transmission in accordance with section 24, the operator may charge, or accept payment from, a person other than the Minister in respect of supplying a listed drug product for an eligible person in an amount equal to the amount that would have been payable by the Minister were the operator entitled to be paid under subsection 5 (4) of the Act.

(6) In subsection (5),

"Health Network" has the same meaning as in subsection 23 (1).

**4. Subsection 24 (2) of the Regulation is amended by adding the following paragraphs:**

3. A claim for payment requiring more than two codes, as set out in the Manual.

4. A claim for payment by the Minister in respect of supplying a listed drug product where the amount claimed is \$10,000 or more.

5. A claim for payment for the supply of an extemporaneous preparation where the claim indicates that time spent on the compounding of the preparation was 100 minutes or more.

**5. The Regulation is amended by adding the following section:**

**28.1 (1)** If the operator of a pharmacy charges a person other than the Minister an amount under subsection 21 (5) in respect of supplying a listed drug product, the eligible person for whom the product was supplied is entitled to be paid by the Minister the amount that would have been paid to the operator of a pharmacy had the operator been entitled to payment under subsection 5 (4) of the Act.



(2) An eligible person who is entitled to be paid under subsection (1) may submit a claim for payment on paper and the claim shall include the information set out in subsection 28 (2).

(3) This section applies to an eligible person who submits a claim in respect of supplying a listed drug product for which a person was charged by a physician under section 22 in accordance with subsection 21 (5).

6. The Regulation is amended by adding the following section:

29.1 Despite the revocation of Regulation 868 of the Revised Regulations of Ontario, 1990 by Ontario Regulation 203/96 and despite sections 23 to 26, the operator of a pharmacy or the physcian who enters into a subscription agreement with the Ministry before May 27, 1996 but who, as of that date, has not had the premises from which he or she dispenses drugs electronically connected to the Health Network may continue to make claims for payment on paper in accordance with section 9 of Regulation 868 of the Revised Regulations of Ontario, 1990 until July 15, 1996.

7. (1) Subject to this section, this Regulation shall be deemed to have come into force on May 27, 1996.

(2) Section 2 of this Regulation comes into force on July 15, 1996.

30/96

ONTARIO REGULATION 325/96  
made under the  
HIGHWAY TRAFFIC ACT

Made: June 27, 1996  
Filed: July 10, 1996

Amending Reg. 619 of R.R.O. 1990  
(Speed Limits)

Note: Since January 1, 1996, Regulation 619 has been amended by Ontario Regulations 29/96, 30/96 and 148/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Part 3 of Schedule 59 to Regulation 619 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraphs:

- Brant—

Twp. of Onondaga

Brant—

Twp. of Onondaga
4. That part of the King's Highway known as No. 54 in the Township of Onondaga in the County of Brant lying between a point situate 560 metres measured southerly from its intersection with the southerly limit of the King's Highway known as No. 2 and 53 and a point situate 900 metres measured westerly from its intersection with the centre line of the roadway known as Chiefswood Road.

5. That part of the King's Highway known as No. 54 in the Township of Onondaga in the County of Brant lying between a point situate 500 metres measured easterly from its intersection with the centre line of the roadway known as Chiefswood Road and a point situate 240 metres measured westerly from its intersection with the centre line of the roadway known as Indian Line Road.

(2) Part 5 of Schedule 59 to the Regulation is amended by adding the following paragraph:

- Brant—

Twp. of Onondaga

4. That part of the King's Highway known as No. 54 in the Township of Onondaga in the County of Brant in the Six Nations Indian Reserve beginning at a point situate 900 metres measured westerly from its intersection with the centre line of the roadway known as Chiefswood Road and extending easterly for a distance of 1400 metres.

AL PALLADIN  
Minister of Transportation

Dated at Toronto on June 27 , 1996.

30/96

ONTARIO REGULATION 326/96  
made under the  
FOREST FIRES PREVENTION ACT

Made: July 11, 1996  
Filed: July 11, 1996

RESTRICTED FIRE ZONE

1. The part of the East Fire Region referred to in Schedule 2 of Ontario Regulation 207/96, as described in Schedule "A" hereto, is declared to be a restricted fire zone from 0001 hours on July 12 to 2400 hours on October 31, both inclusive, in the year 1996.

2. Ontario Regulation 160/96 is revoked as of 2400 hours on July 11, 1996.

Schedule A

In the geographic Townships of Leclaire, Abotossaway, Aguiion Musquash, Corbiere Cowie Bailloquet, Chabanel, Esquega Lendrur and McMurray, in the Territorial District of Algoma and Province of Ontario, containing 31490 hectares, more or less, being composed of those parts of the said townships designated as Part 1 on a plan of the Restricted Fire Zone for the Wawa Fume Kill Area and filed in the Office of the Surveyor General at the Ministry of Natural Resources in Toronto on April 28, 1994.

PATRICIA E. MALCOLMSO  
Assistant Deputy Ministe  
Corporate Services Division  
Ministry of Natural Resource

Dated at Toronto on July 11, 1996.

30/96

ONTARIO REGULATION 327/96  
made under the  
PLANNING ACT

Made: July 10, 1996  
Filed: July 12, 1996

Amending O. Reg. 25/86  
(Zoning Areas—Territorial District of Kenora,  
Part of the Sioux Lookout Planning Area)

Note: Since January 1, 1996, Ontario Regulation 25/86 has been amended by Ontario Regulations 133/96 and 137/96. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1995.

**1. Section 1 of Ontario Regulation 25/86 is amended by adding the following paragraphs:**

- 2.1 "attic" means a room or a space immediately below the roof and above the ceiling of a building.
- 3.1 "basement" means that portion of a building between two floor levels which is partly below grade and which has more than one-half of its height measured from floor to ceiling 'above' the established grade.
- 3.2 "cellar" shall mean that portion of a building between two floor levels which is partly or wholly underground and which has more than one-half of its height from finished floor to underside of ceiling joists below the adjacent finished grade.
- 19.1 "porch" means a covered entrance to a building usually with a separate roof.
- 19.2 "private club" is an athletic, recreational or social club which is operated for gain or profit.
- 28.1 "social or fraternity club" is a non-government, non-profit, non-commercial organization which carries on social, cultural, recreational, or welfare programs.
- 29.1 "verandah" means a roofed open gallery or portico attached to the exterior of a building.
- 30.1 "wayside pit" means a temporary source consolidated or unconsolidated aggregate opened by or for a public road authority, including a Local Roads Board, for the purpose of a particular project of public road construction.

**2. Paragraph 1 of section 1 of the Regulation is revoked and the following substituted:**

- 1. "accessory", when used to describe a use, building or structure, means a use, building or structure that is normally incidental or subordinate to the principal use, building or structure located on the same lot that does not include housekeeping facilities.

**3. Paragraph 8 of Section 1 of the Regulation is revoked and the following substituted:**

- 8. "gross floor area" means the aggregate of the horizontal areas of each floor, whether above or below grade, measured between the exterior faces of the exterior walls of the building or structure but in the case of a dwelling unit does not include the floor area of a garage, porch, verandah, basement, cellar or unfinished attic.

**4. Section 5 of the Regulation is amended by adding the following subsection:**

- (6) A garage which is attached to the main building is not an accessory building or structure.

**5. Section 10 of the Regulation is revoked and the following substituted:**

#### HOME OCCUPATIONS

- 10. Home occupations may be conducted within a permitted dwelling unit or accessory building on the same lot if the following requirements are met:
  - 1. The profession or occupation shall be carried on by an occupant of the dwelling unit.
  - 2. No more than one person who is not a resident of the dwelling unit shall be employed in the home occupation.
  - 3. No more than 25% of the gross floor area (not to exceed 40 square metres) of the unit shall be devoted to the home occupation.
  - 4. The use should be subordinate to the principal use of the dwelling unit as a residence.
  - 5. No external display or advertising is permitted except an unilluminated sign having a total display area not exceeding 0.5 square metres.
  - 6. There shall be no outside storage of goods or materials.

**6. Section 15 of the Regulation is revoked and the following substituted:**

#### SETBACKS FROM PROVINCIAL HIGHWAYS

- 15. (1) Despite any other setback provision in this Order, no single dwelling shall be located within 7.5 metres of a highway property limit, or 26 metres from the highway centerline, whichever is greater.

- (2) Despite any other setback provision in this Order, no commercial, industrial or multi-unit residential building or structure shall be located within 14 metres from the highway property limit, or 32 metres from the highway centre line, whichever is greater.

RONALD R. KENNEDY  
Director (Acting)

Provincial Planning Services Branch  
Ministry of Municipal Affairs and Housing

Dated at Toronto on July 10, 1996.

30/96



1. The first part of the document is a list of the names of the members of the committee.

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# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—08—03

## ONTARIO REGULATION 328/96 made under the HIGHWAY TRAFFIC ACT

Made: July 11, 1996  
Filed: July 15, 1996

Amending Reg. 619 of R.R.O. 1990  
(Speed Limits)

centre line of Station Street and extending easterly therealong  
for a distance of 141 metres.

AL PALLADINI  
Minister of Transportation

Dated at Toronto on July 11, 1996.

31/96

## ONTARIO REGULATION 330/96 made under the CROP INSURANCE ACT (ONTARIO)

Made: May 31, 1996  
Approved: July 9, 1996  
Filed: July 16, 1996

Amending Reg. 247 of R.R.O. 1990  
(Crop Insurance Plan—Sour Cherries)

Note: Regulation 247 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 10 of the Schedule to Regulation 247 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

10. The established price for sour cherries is the 92 score price for sour cherries set by The Ontario Tender Fruit Producers' Marketing Board less harvest costs and Board fees, but if the calculation results in a price that is less than 8 cents a pound, the established price is 8 cents a pound and if the calculation results in a price that is more than 30 cents a pound, the established price is 30 cents a pound.

2. The Table to subsection 12 (1) of the Schedule to the Regulation is amended by striking out "23.6", "31.0" and "41.9" in the column under "Base Premium Rate" and substituting "15.88", "19.68" and "23.7" respectively.

3. Subparagraph 5 (3) of Form 1 of the Schedule to the Regulation is revoked and the following substituted:

(3) Insured crop or any part of insured crop that has suffered damage from an insured peril to the extent that it is unsuitable for sale at the optimal time for harvest is not counted as production.

(3.1) The Commission will determine suitability for sale on the basis of what processors accept for processing in the crop year.

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
Chair

MATT TULLOCH  
Secretary

Dated at Toronto on May 31, 1996.

31/96

## ONTARIO REGULATION 329/96 made under the HIGHWAY TRAFFIC ACT

Made: July 11, 1996  
Filed: July 15, 1996

Amending Reg. 604 of R.R.O. 1990  
(Parking)

Note: Since January 1, 1996, Regulation 604 has been amended by Ontario Regulation 71/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Schedule 8 of Appendix A to Regulation 604 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

3. That part of the King's Highway known as No. 20 in the Village of Fonthill in the Regional Municipality of Niagara beginning from a point situate 204 metres measured easterly from the

AL PALLADINI  
Minister of Transportation

Dated at Toronto on July 11, 1996.

31/96



**ONTARIO REGULATION 331/96**  
made under the  
**FREEDOM OF INFORMATION AND  
PROTECTION OF PRIVACY ACT**

Made: July 17, 1996  
Approved: July 17, 1996  
Filed: July 18, 1996

Amending Reg. 460 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 460 has been amended by Ontario Regulation 21/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Items 2, 9, 10 and 12 of the Schedule to Regulation 460 of the Revised Regulations of Ontario, 1990 are revoked.

(2) Item 13 of the Schedule to the Regulation is revoked and the following substituted:

13.	Advisory Committee on Sport, Fitness and Recreation Safety	Minister of Citizenship, Culture and Recreation
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13.	Comité consultatif de la sécurité dans le domaine des sports, du conditionnement physique et des loisirs	Ministre des Affaires civiques, de la Culture et des Loisirs
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(3) Items 15.1, 18 and 23.1 of the Schedule to the Regulation are revoked.

(4) Items 33, 35 and 46 of the Schedule to the Regulation are revoked and the following substituted:

33.	Building Code Commission	Minister of Municipal Affairs and Housing
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.....

35.	Building Materials Evaluation Commission	Minister of Municipal Affairs and Housing
-----	--	---

.....

46.	Conservation Review Board	Minister of Citizenship, Culture and Recreation
-----	---------------------------	---

33.	Commission du code du bâtiment	Ministre des Affaires municipales et du Logement
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.....

35.	Commission d'évaluation des matériaux de construction	Ministre des Affaires municipales et du Logement
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.....

46.	Commission des biens culturels	Ministre des Affaires civiques, de la Culture et des Loisirs
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(5) Items 47, 55 and 57 of the Schedule to the Regulation are revoked.

(6) Items 60 and 61.2 of the Schedule to the Regulation are revoked and the following substituted:

60.	Eastern Ontario Development Corporation	Minister of Economic Development, Trade and Tourism
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.....

**RÈGLEMENT DE L'ONTARIO 331/96**  
pris en application de la  
**LOI SUR L'ACCÈS À L'INFORMATION ET LA  
PROTECTION DE LA VIE PRIVÉE**

pris le 17 juillet 1996  
approuvé le 17 juillet 1996  
déposé le 18 juillet 1996

modifiant le Règl. 460 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Depuis le 1<sup>er</sup> janvier 1996, le Règlement 460 a été modifié par le Règlement de l'Ontario 21/96. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. (1) Les numéros 2, 9, 10 et 12 de l'annexe du Règlement 460 des Règlements refondus de l'Ontario de 1990 sont abrogés.

(2) Le numéro 13 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

(3) Les numéros 15.1, 18 et 23.1 de l'annexe du Règlement sont abrogés.

(4) Les numéros 33, 35 et 46 de l'annexe du Règlement sont abrogés et remplacés par ce qui suit :

(5) Les numéros 47, 55 et 57 de l'annexe du Règlement sont abrogés.

(6) Les numéros 60 et 61.2 de l'annexe du Règlement sont abrogés et remplacés par ce qui suit :

61.2	Employee Ownership Advisory Board	Minister of Economic Development, Trade and Tourism
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60.	Société de développement économique de l'Est de l'Ontario	Ministre du Développement économique, du Commerce et du Tourisme
-----	---	--

.....

61.2	Commission consultative sur l'actionnariat	Ministre du Développement économique, du Commerce et du Tourisme
------	--	--

(7) Items 61.3, 61.4, 63 and 65.1 of the Schedule to the Regulation are revoked.

(7) Les numéros 61.3, 61.4, 63 et 65.1 de l'annexe du Règlement sont abrogés.

(8) The Schedule to the Regulation is amended by adding the following item:

(8) L'annexe du Règlement est modifiée par adjonction du numéro suivant :

74.1	Fish and Wildlife Advisory Board	Minister of Natural Resources
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74.1	Conseil consultatif de la chasse et de la pêche	Ministre des Richesses naturelles
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(9) Items 75 and 76 of the Schedule to the Regulation are revoked.

(9) Les numéros 75 et 76 de l'annexe du Règlement sont abrogés.

(10) Items 83 and 90 of the Schedule to the Regulation are revoked and the following substituted:

(10) Les numéros 83 et 90 de l'annexe du Règlement sont abrogés et remplacés par ce qui suit :

83.	Health Professions Board	Minister of Health
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.....

90.	Huronian Historical Advisory Council	Minister of Economic Development, Trade and Tourism
-----	--------------------------------------	---

83.	Commission des professions de la santé	Ministre de la Santé
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.....

90.	Conseil consultatif historique de la Huronie	Ministre du Développement économique, du Commerce et du Tourisme
-----	--	--

(11) Item 91 of the Schedule to the Regulation is revoked.

(11) Le numéro 91 de l'annexe du Règlement est abrogé.

(12) Item 92 of the Schedule to the Regulation is revoked and the following substituted:

(12) Le numéro 92 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

92.	Innovation Ontario Corporation	Minister of Economic Development, Trade and Tourism
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92.	Société Innovation Ontario	Ministre du Développement économique, du Commerce et du Tourisme
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(13) Item 93 of the Schedule to the Regulation is revoked.

(13) Le numéro 93 de l'annexe du Règlement est abrogé.

(14) Item 94 of the Schedule to the Regulation is revoked and the following substituted:

(14) Le numéro 94 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

94.	Investment Advisory Committee of the Public Guardian and Trustee	Attorney General
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94.	Comité consultatif du Tuteur et curateur public sur les placements	Procureur général
-----	--	-------------------



(15) Item 97 of the Schedule to the Regulation is revoked.

(15) Le numéro 97 de l'annexe du Règlement est abrogé.

(16) Item 105 of the Schedule to the Regulation is revoked and the following substituted:

(16) Le numéro 105 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

105.	Local Housing Authorities, each authority	Minister of Municipal Affairs and Housing
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105.	Chacune des commissions locales de logement	Ministre des Affaires municipales et du Logement
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(17) Items 108, 112 and 112.1 of the Schedule to the Regulation are revoked.

(17) Les numéros 108, 112 et 112.1 de l'annexe du Règlement sont abrogés.

(18) Items 113 and 119 of the Schedule to the Regulation are revoked and the following substituted:

(18) Les numéros 113 et 119 de l'annexe du Règlement sont abrogés et remplacés par ce qui suit :

113.	Moose River Basin Environmental Information Partnership Board	Minister of Natural Resources
------	---	-------------------------------

.....

119.	Northern Ontario Development Corporation	Minister of Economic Development, Trade and Tourism
------	--	---

113.	Conseil du partenariat pour la collecte de données environnementales sur le bassin de la rivière Moose	Ministre des Richesses naturelles
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.....

119.	Société de développement du Nord de l'Ontario	Ministre du Développement économique, du Commerce et du Tourisme
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(19) The Schedule to the Regulation is amended by adding the following item:

(19) L'annexe du Règlement est modifiée par adjonction du numéro suivant :

121.001	Occupational Disease Panel	Minister of Labour
---------	----------------------------	--------------------

121.001	Comité des maladies professionnelles	Ministre du Travail
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(20) Item 122 of the Schedule to the Regulation is revoked and the following substituted:

(20) Le numéro 122 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

122.	Old Fort William Advisory Committee	Minister of Economic Development, Trade and Tourism
------	-------------------------------------	---

122.	Comité consultatif du Vieux Fort William	Ministre du Développement économique, du Commerce et du Tourisme
------	--	--

(21) Items 123, 124, 125 and 126 of the Schedule to the Regulation are revoked.

(21) Les numéros 123, 124, 125 et 126 de l'annexe du Règlement sont abrogés.

(22) Item 126.1 of the Schedule to the Regulation is revoked and the following substituted:

(22) Le numéro 126.1 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

126.1	Ontario Aerospace Corporation	Minister of Economic Development, Trade and Tourism
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126.1	Société ontarienne de l'aérospatiale	Ministre du Développement économique, du Commerce et du Tourisme
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(23) Item 134 of the Schedule to the Regulation is revoked.

(23) Le numéro 134 de l'annexe du Règlement est abrogé.

(24) Items 139 and 146 of the Schedule to the Regulation are revoked and the following substituted:

(24) Les numéros 139 et 146 de l'annexe du Règlement sont abrogés et remplacés par ce qui suit :

139.	Ontario Development Corporation	Minister of Economic Development, Trade and Tourism
.....		
146.	Ontario Film Development Corporation	Minister of Citizenship, Culture and Recreation
139.	Société de développement de l'Ontario	Ministre du Développement économique, du Commerce et du Tourisme
.....		
146.	Société de développement de l'industrie cinématographique de l'Ontario	Ministre des Affaires civiques, de la Culture et des Loisirs

(25) Item 148 of the Schedule to the Regulation is revoked.

(25) Le numéro 148 de l'annexe du Règlement est abrogé.

(26) Items 154, 157, 158, 161, 167, 168 and 172 of the Schedule to the Regulation are revoked and the following substituted:

(26) Les numéros 154, 157, 158, 161, 167, 168 et 172 de l'annexe du Règlement sont abrogés et remplacés par ce qui suit :

154.	Ontario Heritage Foundation	Minister of Citizenship, Culture and Recreation
.....		
157.	Ontario Housing Corporation	Minister of Municipal Affairs and Housing
158.	Ontario Human Rights Commission	Minister of Citizenship, Culture and Recreation
.....		
161.	Ontario International Trade Corporation	Minister of Economic Development, Trade and Tourism
.....		
167.	Ontario Mortgage Corporation	Minister of Municipal Affairs and Housing
168.	Ontario Municipal Board	Minister of Municipal Affairs and Housing
.....		
172.	Ontario Place Corporation	Minister of Economic Development, Trade and Tourism
154.	Fondation du patrimoine ontarien	Ministre des Affaires civiques, de la Culture et des Loisirs
.....		
157.	Société de logement de l'Ontario	Ministre des Affaires municipales et du Logement
158.	Commission ontarienne des droits de la personne	Ministre des Affaires civiques, de la Culture et des Loisirs
.....		
161.	Société ontarienne du commerce international	Ministre du Développement économique, du Commerce et du Tourisme
.....		
167.	Société d'hypothèques de l'Ontario	Ministre des Affaires municipales et du Logement
168.	Commission des affaires municipales de l'Ontario	Ministre des Affaires municipales et du Logement
.....		
172.	Société d'exploitation de la Place Ontario	Ministre du Développement économique, du Commerce et du Tourisme



(27) Item 181 of the Schedule to the Regulation is revoked.

(27) Le numéro 181 de l'annexe du Règlement est abrogé.

(28) Item 182 of the Schedule to the Regulation is revoked and the following substituted:

(28) Le numéro 182 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

182.	Ontario Science Centre	Minister of Citizenship, Culture and Recreation
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182.	Centre des sciences de l'Ontario	Ministre des Affaires civiques, de la Culture et des Loisirs
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(29) Items 188, 191, 193, 199, 201, 203 and 205 of the Schedule to the Regulation are revoked.

(29) Les numéros 188, 191, 193, 199, 201, 203 et 205 de l'annexe du Règlement sont abrogés.

(30) Items 206, 207 and 208 of the Schedule to the Regulation are revoked and the following substituted:

(30) Les numéros 206, 207 et 208 de l'annexe du Règlement sont abrogés et remplacés par ce qui suit :

206.	Province of Ontario Medal for Fire Fighters' Bravery Advisory Council	Minister of Citizenship, Culture and Recreation
207.	Province of Ontario Medal for Good Citizenship Advisory Council	Minister of Citizenship, Culture and Recreation
208.	Province of Ontario Medal for Police Bravery Advisory Council	Minister of Citizenship, Culture and Recreation

206.	Conseil consultatif de la médaille de bravoure des pompiers de la province de l'Ontario	Ministre des Affaires civiques, de la Culture et des Loisirs
207.	Conseil consultatif de la médaille du mérite civique de la province de l'Ontario	Ministre des Affaires civiques, de la Culture et des Loisirs
208.	Conseil consultatif de la médaille de bravoure des policiers de la province de l'Ontario	Ministre des Affaires civiques, de la Culture et des Loisirs

(31) Item 210 of the Schedule to the Regulation is revoked.

(31) Le numéro 210 de l'annexe du Règlement est abrogé.

(32) Item 217 of the Schedule to the Regulation is revoked and the following substituted:

(32) Le numéro 217 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

217.	Public Guardian and Trustee	Attorney General
------	-----------------------------	------------------

217.	Tuteur et curateur public	Procureur général
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(33) Items 224 and 224.1 of the Schedule to the Regulation are revoked.

(33) Les numéros 224 et 224.1 de l'annexe du Règlement sont abrogés.

(34) Item 226 of the Schedule to the Regulation is revoked and the following substituted:

(34) Le numéro 226 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

226.	St. Lawrence Parks Commission	Minister of Economic Development, Trade and Tourism
------	-------------------------------	---

226.	Commission des parcs du Saint-Laurent	Ministre du Développement économique, du Commerce et du Tourisme
------	---------------------------------------	--

(35) Items 228.1 and 232 of the Schedule to the Regulation are revoked.

(35) Les numéros 228.1 et 232 de l'annexe du Règlement sont abrogés.

(36) Item 234 of the Schedule to the Regulation is revoked and the following substituted:

(36) Le numéro 234 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

234.	The Order of Ontario Advisory Council	Minister of Citizenship, Culture and Recreation
------	---------------------------------------	---

234.	Conseil consultatif de l'Ordre de l'Ontario	Ministre des Affaires civiques, de la Culture et des Loisirs
------	---	--

(37) Item 236 of the Schedule to the Regulation is revoked.

(37) Le numéro 236 de l'annexe du Règlement est abrogé.

31/96

**ONTARIO REGULATION 332/96**  
made under the  
**COURTS OF JUSTICE ACT**

Made: July 17, 1996  
Approved: July 17, 1996  
Filed: July 18, 1996

Amending Reg. 194 of R.R.O. 1990  
(Rules of Civil Procedure)

**Note:** Since January 1, 1996, Regulation 194 has been amended by Ontario Regulations 60/96, 61/96 and 175/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Subrule 74.04 (2) of Regulation 194 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

***Notice to Interested Persons***

(2) Notice of the application shall be served on all persons entitled to share in the distribution of the estate, including charities and contingent beneficiaries; however, notice need not be served on the applicant.

**2. Subrule 74.05 (2) of the Regulation is revoked and the following substituted:**

***Notice to Interested Persons***

(2) Notice of the application shall be served on all persons entitled to share in the distribution of the estate; however, notice need not be served on the applicant.

**3. Rule 74 of the Regulation is amended by adding the following rule:**

**CERTIFICATE OF APPOINTMENT OF FOREIGN ESTATE TRUSTEE'S NOMINEE AS ESTATE TRUSTEE WITHOUT A WILL**

***Material to Accompany Application***

**74.05.1** (1) An application for a certificate of appointment of a foreign estate trustee's nominee as estate trustee without a will (Form 74.20.1) shall be accompanied by,

- (a) a nomination (Form 74.20.2) of the applicant by the estate trustee appointed in the jurisdiction where the deceased was domiciled at the date of death;
- (b) a copy of the document appointing the foreign estate trustee, certified under the seal of the court that granted it;
- (c) a certificate under the seal of the court that granted the foreign document, issued within a reasonable amount of time before the date of the application and stating that the foreign document remains effective as of the date of the certificate;
- (d) the security required by the *Estates Act*; and
- (e) such additional or other material as the court directs.

**RÈGLEMENT DE L'ONTARIO 332/96**  
pris en application de la  
**LOI SUR LES TRIBUNAUX JUDICIAIRES**

pris le 17 juillet 1996  
approuvé le 17 juillet 1996  
déposé le 18 juillet 1996

modifiant le Règl. 194 des R.R.O. de 1990  
(Règles de procédure civile)

**Remarque :** Depuis le 1<sup>er</sup> janvier 1996, le Règlement 194 a été modifié par les Règlements de l'Ontario 60/96, 61/96 et 175/96. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

**1. Le paragraphe 74.04 (2) du Règlement 194 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :**

***Avis aux intéressés***

(2) L'avis de requête est signifié à toutes les personnes qui ont droit à une partie de la succession, y compris les sociétés de bienfaisance et les bénéficiaires éventuels; cependant, l'avis n'a pas à être signifié au requérant.

**2. Le paragraphe 74.05 (2) du Règlement est abrogé et remplacé par ce qui suit :**

***Avis aux intéressés***

(2) L'avis de requête est signifié à toutes les personnes qui ont droit à une partie de la succession; cependant, l'avis n'a pas à être signifié au requérant.

**3. La Règle 74 du Règlement est modifiée par adjonction de la règle suivante :**

**CERTIFICAT DE NOMINATION DE LA PERSONNE DÉSIGNÉE PAR LE FIDUCIAIRE DE LA SUCCESSION ÉTRANGÈRE À TITRE DE FIDUCIAIRE DE LA SUCCESSION NON TESTAMENTAIRE**

***Pièces devant accompagner la requête***

**74.05.1** (1) La requête en vue d'obtenir un certificat de nomination de la personne désignée par le fiduciaire de la succession étrangère à titre de fiduciaire de la succession non testamentaire (formule 74.20.1) doit être accompagnée des pièces suivantes :

- a) l'acte de désignation (formule 74.20.2) du requérant par le fiduciaire de la succession nommé dans le territoire où était domicilié le défunt à la date de son décès;
- b) une copie du document nommant le fiduciaire de la succession étrangère, certifiée conforme et revêtue du sceau du tribunal qui a accordé la nomination;
- c) un certificat revêtu du sceau du tribunal qui a accordé le document étranger, délivré dans un délai raisonnable avant la date de la requête et indiquant que ce document est encore en vigueur à la date du certificat;
- d) la garantie exigée par la *Loi sur les successions*;
- e) tout document supplémentaire ou toute autre pièce, suivant les directives du tribunal.



**Certificate**

(2) The certificate of appointment of a foreign estate trustee's nominee as estate trustee without a will shall be in Form 74.20.3.

4. (1) Subrule 74.18 (8) of the Regulation is amended by striking out "a notice of objection to accounts (Form 74.45) or a notice of no objection to accounts (Form 74.46)" and substituting "a notice of objection to accounts (Form 74.45), a notice of no objection to accounts (Form 74.46) or a notice of non-participation in passing of accounts (Form 74.46.1)".

(2) Subclauses 74.18 (9) (a) (ii) and (iv) of the Regulation are revoked and the following substituted:

(ii) the notices of no objection to accounts or notices of non-participation in passing of accounts of the Children's Lawyer and Public Guardian and Trustee, if served,

.....

(iv) requests (Form 74.49 or 74.49.1), if any, for costs of the persons served, and

(3) Subrule 74.18 (9) of the Regulation is amended by striking out "and" at the end of clause (a), by adding "and" at the end of clause (b) and by adding the following clause:

(c) if the Children's Lawyer or the Public Guardian and Trustee was served with the notice of application and did not serve a notice of non-participation in passing of accounts, a copy of the draft judgment approved by the Children's Lawyer or the Public Guardian and Trustee, as the case may be.

(4) Subrules 74.18 (10) and (11) of the Regulation are revoked and the following substituted:

(10) Where the court grants judgment without a hearing, the costs awarded shall be assessed in accordance with Tariff C.

**Request for Increased Costs**

(11) Where the estate trustee or a person with a financial interest in the estate seeks costs greater than the amount allowed in Tariff C, the estate trustee or other person shall serve a request for increased costs (Form 74.49.2 or 74.49.3) on every other party to the application and file it, with proof of service.

(11.1) Unless the court orders otherwise, a request for increased costs may be served and filed only during the following period:

1. In the case of an estate trustee, the period beginning 10 days after service of the notice of application is complete and ending 10 days before the hearing date specified in the notice.
2. In the case of a person with a financial interest in the estate, the period beginning 10 days after the notice of application is served on the person and ending 10 days before the hearing date specified in the notice.

**Hearing**

(11.2) The hearing shall proceed on the date specified in the notice of application if,

- (a) a request for increased costs has been filed; or
- (b) the court declines to grant judgment without a hearing.

5. Forms 74.4, 74.5, 74.6, 74.7, 74.16 and 74.17 of the Regulation are revoked and the following substituted:

**Certificat**

(2) Le certificat de nomination de la personne désignée par le fiduciaire de la succession étrangère à titre de fiduciaire de la succession non testamentaire est rédigé selon la formule 74.20.3.

4. (1) Le paragraphe 74.18 (8) du Règlement est modifié par substitution de «un avis d'opposition aux comptes (formule 74.45), un avis de non-opposition aux comptes (formule 74.46) ou un avis de non-participation à l'approbation des comptes (formule 74.46.1)» à «un avis d'opposition aux comptes (formule 74.45) ou un avis de non-opposition aux comptes (formule 74.46)».

(2) Les sous-alinéas 74.18 (9) a) (ii) et (iv) du Règlement sont abrogés et remplacés par ce qui suit :

(ii) les avis de non-opposition aux comptes ou les avis de non-participation à l'approbation des comptes de l'avocat des enfants et du Tuteur et curateur public, s'ils ont été signifiés,

.....

(iv) le cas échéant, les demandes de dépens (formule 74.49 ou 74.49.1) des personnes ayant reçu signification.

(3) Le paragraphe 74.18 (9) du Règlement est modifié par adjonction de l'alinéa suivant :

c) si l'avocat des enfants ou le Tuteur et curateur public a reçu signification de l'avis de requête et qu'il n'a pas signifié d'avis de non-participation à l'approbation des comptes, une copie du projet de jugement approuvé par l'avocat des enfants ou le Tuteur et curateur public, selon le cas.

(4) Les paragraphes 74.18 (10) et (11) du Règlement sont abrogés et remplacés par ce qui suit :

(10) Si le tribunal rend un jugement sans audience, les dépens adjugés sont liquidés conformément au tarif C.

**Demande d'augmentation des dépens**

(11) Si le fiduciaire de la succession ou une personne ayant un intérêt financier dans la succession cherche à obtenir des dépens supérieurs au montant prévu au tarif C, le fiduciaire ou cette autre personne signifie une demande d'augmentation des dépens (formule 74.49.2 ou 74.49.3) à chacune des autres parties à la requête et la dépose, avec la preuve de sa signification.

(11.1) Sauf ordonnance contraire du tribunal, la demande d'augmentation des dépens ne peut être signifiée et déposée que pendant la période suivante :

1. S'il s'agit d'un fiduciaire de la succession, la période qui commence 10 jours après que la signification de l'avis de requête est terminée et prend fin 10 jours avant la date d'audience indiquée dans l'avis.
2. S'il s'agit d'une personne ayant un intérêt financier dans la succession, la période qui commence 10 jours après que la personne a reçu signification de l'avis de requête et prend fin 10 jours avant la date d'audience indiquée dans l'avis.

**Audience**

(11.2) L'audience est tenue à la date indiquée dans l'avis de requête si, selon le cas :

- a) une demande d'augmentation des dépens a été déposée;
- b) le tribunal refuse de rendre un jugement sans tenir d'audience.

5. Les formules 74.4, 74.5, 74.6, 74.7, 74.16 et 74.17 du Règlement sont abrogées et remplacées par ce qui suit :

APPLICATION FOR CERTIFICATE WITH WILL (INDIVIDUAL)

Ontario Court (General Division)  
at

(Form 74.4 under the Rules)

APPLICATION FOR CERTIFICATE OF  
APPOINTMENT OF ESTATE TRUSTEE  
WITH A WILL (INDIVIDUAL APPLICANT)

This application is filed by (insert name and address)

## DETAILS ABOUT THE DECEASED PERSON

Name (insert surname and forename(s), and, if applicable, any other name by which the deceased person was known)

Address of fixed place of abode (street or postal address) (city or town)

(county, district, regional or  
metropolitan municipality)If the deceased person had no fixed place of  
abode in Ontario, did he or she have property  
in Ontario? ☐ No ☐ Yes

Last occupation of deceased person

Place of death (city or town; county, district,  
regional or metropolitan municipality)Date of death  
(day, month, year)Date of last will  
(marked as Exhibit "A")  
(day, month, year)Was the deceased person 18 years of age or older at the date of the will (or 21 years of age  
or older if the will is dated earlier than September 1, 1971)? ☐ No ☐ Yes

If not, explain why certificate is being sought. Give details in an attached schedule.

Date of codicil (marked as Exhibit "B")  
(day, month, year)Date of codicil (marked as Exhibit "C")  
(day, month, year)

Marital status

☐ Unmarried ☐ Widowed  
☐ Married ☐ DivorcedDid the deceased person marry after the date  
of the will? ☐ No ☐ Yes If yes, explain  
why certificate is being sought. Give details in  
an attached schedule.Was a marriage of the deceased person  
terminated by a judgment absolute of divorce,  
or declared a nullity, after the date of the will?  
☐ No ☐ Yes If yes, give details in an  
attached schedule.Is any person who signed the will or a codicil  
as witness or for the testator, or the spouse of  
such person, a beneficiary under the will?  
☐ No ☐ Yes If yes, give details in an  
attached schedule.

## VALUE OF ASSETS OF ESTATE

Do not include in the total amount: insurance payable to a named beneficiary or assigned for value, property held  
jointly and passing by survivorship, or real estate outside Ontario.

Personal property	Real estate, net of encumbrances	Total
\$	\$	\$

Is there any person entitled to an interest in the estate who is not an applicant?  
☐ No ☐ Yes

If a person named in the will or a codicil as estate trustee is not an applicant, explain.

If a person not named in the will or a codicil as estate trustee is an applicant, explain why  
that person is entitled to apply.



**AFFIDAVIT(S) OF APPLICANT(S)***(Attach a separate sheet for additional affidavits, if necessary.)***I, an applicant named in this application, make oath and say/affirm:**

- |  |  |
|--|--|
| 1. I am 18 years of age or older.  | 4. If I am not named as estate trustee in the will or codicil, consents of persons who together have a majority interest in the value of the assets of the estate at the date of death are attached. |
| 2. The exhibit(s) referred to in this application are the last will and each codicil (where applicable) of the deceased person and I do not know of any later will or codicil. | 5. The information contained in this application and in any attached schedules is true, to the best of my knowledge and belief.  |
| 3. I will faithfully administer the deceased person's property according to law and render a complete and true account of my administration when lawfully required.            |  |

**Name** *(surname and forename(s))***Occupation****Address** *(street or postal address)**(city or town)**(province)**(postal code)*

Sworn/Affirmed before me at the  
of  
in the  
of  
this      day of      , 199

*Signature of applicant*

**A Commissioner for Taking Affidavits**  
*(or as may be)*

**I, an applicant named in this application, make oath and say/affirm:**

- |  |  |
|--|--|
| 1. I am 18 years of age or older.  | 4. If I am not named as estate trustee in the will or codicil, consents of persons who together have a majority interest in the value of the assets of the estate at the date of death are attached. |
| 2. The exhibit(s) referred to in this application are the last will and each codicil (where applicable) of the deceased person and I do not know of any later will or codicil. | 5. The information contained in this application and in any attached schedules is true, to the best of my knowledge and belief.  |
| 3. I will faithfully administer the deceased person's property according to law and render a complete and true account of my administration when lawfully required.            |  |

**Name** *(surname and forename(s))***Occupation****Address** *(street or postal address)**(city or town)**(province)**(postal code)*

Sworn/Affirmed before me at the  
of  
in the  
of  
this      day of      , 199

*Signature of applicant*

**A Commissioner for Taking Affidavits**  
*(or as may be)*

REQUÊTE : CERTIFICAT - SUCCESSION TESTAMENTAIRE (PARTICULIER)

(Formule 74.4 prévue par les Règles)

Cour de l'Ontario (Division générale)

**REQUÊTE EN VUE D'OBTENIR UN CERTIFICAT  
DE NOMINATION À TITRE DE FIDUCIAIRE DE LA  
SUCCESSION TESTAMENTAIRE (PARTICULIER REQUÉRANT)**

La présente requête est déposée par (inscrire le nom et l'adresse)

**RENSEIGNEMENTS SUR LE DÉFUNT**

Nom (inscrire les nom de famille et prénoms/s), et, le cas échéant, tout autre nom sous lequel le défunt était connu

Adresse de la résidence permanente (numéro et rue ou adresse postale)

(cité ou ville)

(comté, municipalité de district, régionale ou de communauté urbaine)

Si le défunt n'avait pas de résidence permanente en Ontario, y avait-il des biens? ☐ Non ☐ Oui

Dernière profession du défunt

Lieu du décès (cité ou ville; comté, municipalité de district, régionale ou de communauté urbaine)

Date du décès  
(jour, mois, année)Date du testament (pièce «A»)  
(jour, mois, année)Le défunt avait-il au moins 18 ans à la date du testament (ou au moins 21 ans s'il s'agit d'un testament antérieur au 1<sup>er</sup> septembre 1971)? ☐ Non ☐ Oui

Dans la négative, expliquer pourquoi la délivrance d'un certificat est demandée. Préciser dans une annexe.

Date du codicille (pièce «B»)

(jour, mois, année)

Date du codicille (pièce «C»)

(jour, mois, année)

État civil

☐ célibataire ☐ veuf/veuve☐ marié(e) ☐ divorcé(e)

Le défunt s'était-il marié après la date du testament?

☐ Non ☐ Oui Dans l'affirmative, expliquer pourquoi la délivrance d'un certificat est demandée. Préciser dans une annexe.

Après la date du testament, un mariage du défunt avait-il été dissous par un jugement irrévocable de divorce ou déclaré nul?

☐ Non ☐ Oui Dans l'affirmative, préciser dans une annexe.Le signataire du testament ou d'un codicille à titre de témoin ou pour le testateur, ou son conjoint, est-il un bénéficiaire aux termes du testament? ☐ Non ☐ Oui

Dans l'affirmative, préciser dans une annexe.

**VALEUR DES BIENS DE LA SUCCESSION**

Le montant total ne doit pas comprendre l'assurance payable à un bénéficiaire désigné ou cédée à titre onéreux, les biens détenus conjointement et transmis avec gain de survie, ni les biens immeubles situés à l'extérieur de l'Ontario.

Biens meubles	Biens immeubles, déduction faite des sûretés	Total
\$	\$	\$

Y a-t-il quelque personne que ce soit qui a droit à un intérêt dans la succession et qui n'est pas un requérant?

☐ Non ☐ Oui

Si une personne désignée comme fiduciaire de la succession dans le testament ou un codicille n'est pas un requérant, expliquer.

Si une personne qui n'est pas désignée comme fiduciaire de la succession dans le testament ou un codicille est un requérant, expliquer pourquoi elle a le droit de présenter une requête.



**AFFIDAVIT(S) DU/DES REQUÉRANT(S)***(Annexer au besoin une autre feuille pour les affidavits additionnels.)*

**Je soussigné(e), requérant désigné dans la présente requête, déclare sous serment/affirme solennellement ce qui suit :**

1. J'ai au moins 18 ans.  
 2. Les pièces visées dans la présente requête constituent le testament et tous les codicilles (le cas échéant) du défunt. Je ne connais aucun testament ni codicille postérieurs.  
 3. J'administrerai fidèlement les biens du défunt conformément à la loi et rendrai compte de mon administration de façon exacte et complète dans les cas où la loi m'y oblige.

4. Si je ne suis pas désigné(e) comme fiduciaire de la succession dans le testament ou le codicille, le consentement des personnes qui détiennent, ensemble, un intérêt majoritaire sur les biens de la succession, selon leur valeur à la date du décès, est annexé.  
 5. Au mieux de ma connaissance et de ce que je tiens pour véridique, les renseignements contenus dans la présente requête et dans toute annexe de celle-ci sont exacts.

**Nom** *(nom de famille et prénom(s))*

**Profession**

**Adresse** *(numéro et rue ou adresse postale)*

*(cité ou ville)*

*(province)*

*(code postal)*

Déclaré sous serment/  
 affirmé solennellement devant moi  
 dans le/la  
 de  
 situé(e) dans le/la  
 de/du  
 le

199\_\_

Signature du requérant

commissaire aux affidavits  
*(ou la personne autorisée)*

**Je soussigné(e), requérant désigné dans la présente requête, déclare sous serment/affirme solennellement ce qui suit :**

1. J'ai au moins 18 ans.  
 2. Les pièces visées dans la présente requête constituent le testament et tous les codicilles (le cas échéant) du défunt. Je ne connais aucun testament ni codicille postérieurs.  
 3. J'administrerai fidèlement les biens du défunt conformément à la loi et rendrai compte de mon administration de façon exacte et complète dans les cas où la loi m'y oblige.

4. Si je ne suis pas désigné(e) comme fiduciaire de la succession dans le testament ou le codicille, le consentement des personnes qui détiennent, ensemble, un intérêt majoritaire sur les biens de la succession, selon leur valeur à la date du décès, est annexé.  
 5. Au mieux de ma connaissance et de ce que je tiens pour véridique, les renseignements contenus dans la présente requête et dans toute annexe de celle-ci sont exacts.

**Nom** *(nom de famille et prénom(s))*

**Profession**

**Adresse** *(numéro et rue ou adresse postale)*

*(cité ou ville)*

*(province)*

*(code postal)*

Déclaré sous serment/  
affirmé solennellement devant moi  
dans le/la  
de  
situé(e) dans le/la  
de/du  
le 199\_\_

\_\_\_\_\_  
Signature du requérant

\_\_\_\_\_  
commissaire aux affidavits  
(ou la personne autorisée)



APPLICATION FOR CERTIFICATE WITH WILL (CORPORATE)  
Ontario Court (General Division)  
at

(Form 74.5 under the Rules)  
**APPLICATION FOR CERTIFICATE OF  
APPOINTMENT OF ESTATE TRUSTEE  
WITH A WILL (CORPORATE APPLICANT)**

This application is filed by *(insert name and address)*

### DETAILS ABOUT THE DECEASED PERSON

**Name** *(insert surname and forename(s), and, if applicable, any other name by which the deceased person was known)*

**Address of fixed place of abode** *(street or postal address) (city or town)*

*(county, district, regional or metropolitan municipality)*

If the deceased person had no fixed place of abode in Ontario, did he or she have property in Ontario? ☐ No ☐ Yes

**Last occupation of deceased person**

**Place of death** *(city or town; county, district, regional or metropolitan municipality)*

**Date of death**  
*(day, month, year)*

**Date of last will**  
*(marked as Exhibit "A")*  
*(day, month, year)*

Was the deceased person 18 years of age or older at the date of the will (or 21 years of age or older if the will is dated earlier than September 1, 1971)? ☐ No ☐ Yes  
If not, explain why certificate is being sought. Give details in an attached schedule.

**Date of codicil** (marked as Exhibit "B")  
*(day, month, year)*

**Date of codicil** (marked as Exhibit "C")  
*(day, month, year)*

**Marital status**

☐ Unmarried ☐ Widowed  
☐ Married ☐ Divorced

Did the deceased person marry after the date of the will? ☐ No ☐ Yes If yes, explain why certificate is being sought. Give details in an attached schedule.

Was a marriage of the deceased person terminated by a judgment absolute of divorce, or declared a nullity, after the date of the will? ☐ No ☐ Yes If yes, give details in an attached schedule.

Is any person who signed the will or a codicil as witness or for the testator, or the spouse of such person, a beneficiary under the will? ☐ No ☐ Yes If yes, give details in an attached schedule.

### VALUE OF ASSETS OF ESTATE

Do not include in the total amount: insurance payable to a named beneficiary or assigned for value, property held jointly and passing by survivorship, or real estate outside Ontario.

Personal property	Real estate, net of encumbrances	Total
\$	\$	\$

If a person named in the will or a codicil as estate trustee is not an applicant, explain.

If a person not named in the will or a codicil as estate trustee is an applicant, explain why that person is entitled to apply.

**AFFIDAVIT(S) OF APPLICANT(S)**

(Attach a separate sheet for additional affidavits, if necessary.)

**I, a trust officer named in this application, make oath and say/affirm:**

1. I am a trust officer of the corporate applicant.
2. I am 18 years of age or older.
3. The exhibit(s) referred to in this application are the last will and each codicil (where applicable) of the deceased person and I do not know of any later will or codicil.
4. The corporate applicant will faithfully administer the deceased person's property according to law and render a complete and true account of its administration when lawfully

required.

5. If the corporate applicant is not named as estate trustee in the will or codicil, consents of persons who together have a majority interest in the value of the assets of the estate at the date of death are attached.

6. The information contained in this application and in any attached schedules is true, to the best of my knowledge and belief.

Name of corporate applicant

Name of trust officer

Address of corporate applicant (street or postal address) (city or town) (province) (postal code)

Sworn/Affirmed before me at the  
of  
in the  
of  
this      day of      , 199

A Commissioner for Taking Affidavits  
(or as may be)

Signature of trust officer

**I, an applicant named in this application, make oath and say/affirm:**

1. I am 18 years of age or older.
2. The exhibit(s) referred to in this application are the last will and each codicil (where applicable) of the deceased person and I do not know of any later will or codicil.
3. I will faithfully administer the deceased person's property according to law and render a complete and true account of my administration when lawfully required.

4. If I am not named as estate trustee in the will or codicil, consents of persons who together have a majority interest in the value of the assets of the estate at the date of death are attached.

5. The information contained in this application and in any attached schedules is true, to the best of my knowledge and belief.

Name (surname and forename(s))

Occupation

Address (street or postal address) (city or town) (province) (postal code)

Sworn/Affirmed before me at the  
of  
in the  
of  
this      day of      , 199

A Commissioner for Taking Affidavits  
(or as may be)

Signature of applicant



REQUÊTE - CERTIFICAT - SUCCESSION TESTAMENTAIRE (PERSONNE MORALE) (Formule 74.5 prévue par les Règles)  
 Cour de l'Ontario (Division générale) REQUÊTE EN VUE D'OBTENIR UN CERTIFICAT DE  
 NOMINATION À TITRE DE FIDUCIAIRE DE LA SUCCESSION  
 TESTAMENTAIRE (PERSONNE MORALE REQUÉRANTE)

La présente requête est déposée par (inscrire le nom et l'adresse)

RENSEIGNEMENTS SUR LE DÉFUNT

Nom (inscrire les nom de famille et prénom(s), et, le cas échéant, tout autre nom sous lequel le défunt était connu)

Adresse de la résidence permanente (numéro et rue ou adresse postale) (cité ou ville)	(comté, municipalité de district, régionale ou de communauté urbaine)
--	---

Si le défunt n'avait pas de résidence  
permanente en Ontario, y avait-il des biens?  
☐ Non ☐ Oui

Dernière profession du défunt

Lieu du décès (cité ou ville; comté, municipalité de  
district, régionale ou de communauté urbaine)

Date du décès  
(jour, mois, année)

Date du testament  
(pièce «A»)  
(jour, mois, année)

Le défunt avait-il au moins 18 ans à la date du testament (ou au moins 21 ans s'il s'agit d'un  
testament antérieur au 1<sup>er</sup> septembre 1971)? ☐ Non ☐ Oui

Dans la négative, expliquer pourquoi la délivrance d'un certificat est demandée. Préciser dans  
une annexe.

Date du codicille (pièce «B»)  
(jour, mois, année)

Date du codicille (pièce «C»)  
(jour, mois, année)

État civil

☐ célibataire ☐ veuf/veuve  
☐ marié(e) ☐ divorcé(e)

Le défunt s'était-il marié après la date du  
testament?

☐ Non ☐ Oui Dans l'affirmative, expliquer  
pourquoi la délivrance d'un certificat est  
demandée. Préciser dans une annexe.

Après la date du testament, un mariage du  
défunt avait-il été dissous par un jugement  
irrévocable de divorce ou déclaré nul?

☐ Non ☐ Oui Dans l'affirmative, préciser  
dans une annexe.

Le signataire du testament ou d'un codicille à  
titre de témoin ou pour le testateur, ou son  
conjoint, est-il un bénéficiaire aux termes du  
testament? ☐ Non ☐ Oui Dans  
l'affirmative, préciser dans une annexe.

VALEUR DES BIENS DE LA SUCCESSION

Le montant total ne doit pas comprendre l'assurance payable à un bénéficiaire désigné ou cédée à titre onéreux, les  
biens détenus conjointement et transmis avec gain de survie, ni les biens immeubles situés à l'extérieur de l'Ontario.

Biens meubles	Biens immeubles, déduction faite des sûretés	Total
\$	\$	\$

Si une personne désignée comme fiduciaire de la succession dans le testament ou un  
codicille n'est pas un requérant, expliquer.

Si une personne qui n'est pas désignée comme fiduciaire de la succession dans le testament  
ou un codicille est un requérant, expliquer pourquoi elle a le droit de présenter une requête.

**AFFIDAVIT(S) DU/DES REQUÉRANT(S)**

(Annexer au besoin une autre feuille pour les affidavits additionnels.)

Je soussigné(e), agent fiduciaire désigné dans la présente requête, déclare sous serment/affirme solennellement ce qui suit :

1. Je suis un agent fiduciaire de la personne morale requérante. 2. J'ai au moins 18 ans. 3. Les pièces visées dans la présente requête constituent le testament et tous les codicilles (le cas échéant) du défunt. Je ne connais aucun testament ni codicille postérieurs. 4. La personne morale requérante administrera fidèlement les biens du défunt conformément à la loi et rendra compte de son administration de façon exacte et complète dans les cas où la loi m'y oblige.	5. Si la personne morale requérante n'est pas désignée comme fiduciaire de la succession dans le testament ou le codicille, le consentement des personnes qui détiennent, ensemble, un intérêt majoritaire sur les biens de la succession, selon leur valeur à la date du décès, est annexé. 6. Au mieux de ma connaissance et de ce que je tiens pour véridique, les renseignements contenus dans la présente requête et dans toute annexe de celle-ci sont exacts.
Dénomination de la personne morale requérante	Nom de l'agent fiduciaire

Adresse de la personne morale requérante (numéro et rue ou adresse postale) (cité ou ville)  
(province) (code postal)

Déclaré sous serment/  
affirmé solennellement devant moi  
dans le/la  
de  
situé(e) dans le/la  
de/du  
le 199\_\_

commissaire aux affidavits  
(ou la personne autorisée)

Signature de l'agent fiduciaire

Je soussigné(e), requérant désigné dans la présente requête, déclare sous serment/affirme solennellement ce qui suit :

1. J'ai au moins 18 ans. 2. Les pièces visées dans la présente requête constituent le testament et tous les codicilles (le cas échéant) du défunt. Je ne connais aucun testament ni codicille postérieurs. 3. J'administrerai fidèlement les biens du défunt conformément à la loi et rendrai compte de mon administration de façon exacte et complète dans les cas où la loi m'y oblige.	4. Si je ne suis pas désigné(e) comme fiduciaire de la succession dans le testament ou le codicille, le consentement des personnes qui détiennent, ensemble, un intérêt majoritaire sur les biens de la succession, selon leur valeur à la date du décès, est annexé. 5. Au mieux de ma connaissance et de ce que je tiens pour véridique, les renseignements contenus dans la présente requête et dans toute annexe de celle-ci sont exacts.
---	--

Nom (nom de famille et prénom(s))

Profession

Adresse (numéro et rue ou adresse postale) (cité ou ville)

(province)

(code postal)



Déclaré sous serment/  
affirmé solennellement devant moi  
dans le/la  
de  
situé(e) dans le/la  
de/du  
le 199\_\_

\_\_\_\_\_  
Signature du requérant

\_\_\_\_\_  
commissaire aux affidavits  
(ou la personne autorisée)

## FORM 74.6

AFFIDAVIT OF SERVICE OF NOTICE  
ONTARIO COURT (GENERAL DIVISION)

IN THE ESTATE OF (insert name), deceased.

## AFFIDAVIT OF SERVICE OF NOTICE

I, (insert name), of (insert city or town and county or district, metropolitan or regional municipality of residence), make oath and say/affirm:

1. I am an applicant for a certificate of appointment of estate trustee with a will in the estate.
2. I have sent or caused to be sent a notice in Form 74.7, a copy of which is marked as Exhibit "A" to this affidavit, to all adult persons and charities named in the notice (except to an applicant who is entitled to share in the distribution of the estate), to the Public Guardian and Trustee if paragraph 4 or 7 of the notice applies, to a parent or guardian of the minor and to the Children's Lawyer if paragraph 5 applies, to the guardian or attorney if paragraph 6 applies, and to the Children's Lawyer if paragraph 8 applies, all by regular lettermail sent to the person's last known address.
3. I attached or caused to be attached to each notice the following:
  - (A) In the case of a notice sent to or in respect of a person entitled only to a specified item of property or stated amount of money, an extract of the part or parts of the will or codicil relating to the gift, or a copy of the will (and codicil(s), if any).
  - (B) In the case of a notice sent to or in respect of any other beneficiary, a copy of the will (and codicil(s), if any).
  - (C) In the case of a notice sent to the Children's Lawyer or the Public Guardian and Trustee, a copy of the will (and codicil(s), if any) and a statement of the estimated value of the interest of the person represented.



4. To the best of my knowledge and belief, the persons named in the notice are all the persons who are entitled to share in the distribution of the estate.

Sworn/affirmed before me at the )  
 of )  
 in the )  
 of )  
 this day of , 19 )

\_\_\_\_\_  
 Signature of applicant

\_\_\_\_\_  
 A Commissioner for Taking Affidavits  
 (or as may be)

NOTE: If any person cannot be served, add at the end of paragraph 4 "except for (insert name) who cannot be served because (give explanation)".

## FORMULE 74.6

## AFFIDAVIT DE SIGNIFICATION D'UN AVIS

## COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

SUCCESSION DE FEU

(inscrire le nom).

## AFFIDAVIT DE SIGNIFICATION D'UN AVIS

Je soussigné(e), (inscrire le nom)  
domicilié(e) à (inscrire la cité ou la ville et le comté ou la  
municipalité de district, régionale ou de communauté urbaine du domicile),  
déclare sous serment/affirme solennellement ce qui suit :

1. Je suis le requérant d'un certificat de nomination à titre de fiduciaire de la succession testamentaire, à l'égard de la succession.
2. J'ai envoyé ou fait envoyer un avis rédigé selon la formule 74.7, dont une copie est cotée comme pièce «A» et jointe au présent affidavit, à toutes les personnes adultes et sociétés de bienfaisance désignées dans l'avis (sauf au requérant qui a droit à une partie de la succession), au Tuteur et curateur public si la disposition 4 ou 7 de l'avis s'applique, au père, à la mère ou au tuteur du mineur et à l'avocat des enfants si la disposition 5 s'applique, au tuteur ou au procureur si la disposition 6 s'applique et à l'avocat des enfants si la disposition 8 s'applique, par courrier ordinaire à la dernière adresse connue de la personne.
3. J'ai annexé ou fait annexer à chaque avis les pièces suivantes :
  - (A) Dans le cas d'un avis envoyé à une personne ou à l'égard d'une personne qui n'a droit qu'à un bien particulier ou à une somme d'argent précisée, un extrait de la ou des parties du testament ou codicille portant sur le legs, ou une copie du testament (et du ou des codicilles, le cas échéant).
  - (B) Dans le cas d'un avis envoyé à tout autre bénéficiaire, ou à l'égard de tout autre bénéficiaire, une copie du testament (et du ou des codicilles, le cas échéant).
  - (C) Dans le cas d'un avis envoyé à l'avocat des enfants ou au Tuteur et curateur public, une copie du testament (et du ou



des codicilles, le cas échéant) et une déclaration de la valeur estimative de l'intérêt de la personne représentée.

4. Au mieux de ma connaissance et de ce que je tiens pour véridique, les personnes désignées dans l'avis constituent toutes les personnes qui ont droit à une partie de la succession.

Déclaré sous serment/  
affirmé solennellement devant )  
moi dans le/la )  
de )  
situé(e) dans le/la )  
de/du )

le \_\_\_\_\_ 199\_\_ )

\_\_\_\_\_  
Signature du requérant

\_\_\_\_\_  
commissaire aux affidavits  
(ou la personne autorisée)

REMARQUE : Si une personne ne peut être avisée par signification, ajouter à la fin de la disposition 4 les mots «à l'exception de (inscrire le nom) qui ne peut être avisé(e) par signification, car (expliquer)».

## FORM 74.7

NOTICE OF AN APPLICATION FOR A  
CERTIFICATE OF APPOINTMENT OF ESTATE TRUSTEE WITH A WILL  
ONTARIO COURT (GENERAL DIVISION)

IN THE ESTATE OF (insert name), deceased.

NOTICE OF AN APPLICATION FOR A  
CERTIFICATE OF APPOINTMENT OF ESTATE TRUSTEE WITH A WILL

1. The deceased died on (insert date).
2. Attached to this notice are:
  - (A) If the notice is sent to or in respect of a person entitled only to a specified item of property or stated amount of money, an extract of the part or parts of the will or codicil relating to the gift, or a copy of the will (and codicil(s), if any).
  - (B) If the notice is sent to or in respect of any other beneficiary, a copy of the will (and codicil(s), if any).
  - (C) If the notice is sent to the Children's Lawyer or the Public Guardian and Trustee, a copy of the will (and codicil(s), if any) and a statement of the estimated value of the interest of the person represented.
3. The applicant named in this notice is applying for a certificate of appointment of estate trustee with a will.

## APPLICANT

NAME

ADDRESS

4. The following charities are entitled to share in the distribution of the estate:

Name

Address



5. The following persons who are less than 18 years of age are entitled to share in the distribution of the estate:

Name	Date of birth (d/m/y)	Name and address of parent or guardian
------	--------------------------	---

6. The following persons who are mentally incapable within the meaning of section 6 of the *Substitute Decisions Act*, 1992 in respect of an issue in the proceeding, and who have guardians or attorneys acting under powers of attorney with authority to act in the proceeding, are entitled to share in the distribution of the estate:

Name and address of person	Name and address of guardian or attorney*
-------------------------------	--

\*Specify whether guardian or attorney

7. The following persons who are mentally incapable within the meaning of section 6 of the *Substitute Decisions Act*, 1992 in respect of an issue in the proceeding, and who do not have guardians or attorneys acting under powers of attorney with authority to act in the proceeding, are entitled to share in the distribution of the estate:

Name and address of person

8. Unborn or unascertained persons may be entitled to share in the distribution of the estate. ((Delete if inapplicable))

9. All other persons entitled to share in the distribution of the estate are as follows:

Name	Address
------	---------

10. This notice is being sent, by regular lettermail, to all adult persons and charities named in this notice (except to an applicant who is entitled to share in the distribution of the estate), to the Public Guardian and Trustee if paragraph 4 or 7 applies, to a parent or guardian of the minor and to the Children's Lawyer if paragraph 5 applies, to the guardian or attorney if paragraph 6 applies and to the Children's Lawyer if paragraph 8 applies.

DATE:

## FORMULE 74.7

AVIS DE REQUÊTE EN VUE D'OBTENIR UN CERTIFICAT DE NOMINATION  
À TITRE DE FIDUCIAIRE DE LA SUCCESSION TESTAMENTAIRE

COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

SUCCESSION DE FEU

(inscrire le nom).

AVIS DE REQUÊTE EN VUE D'OBTENIR UN CERTIFICAT DE NOMINATION  
À TITRE DE FIDUCIAIRE DE LA SUCCESSION TESTAMENTAIRE

1. Le défunt est décédé le (inscrire la date).
2. Les pièces suivantes sont annexées à l'avis :
  - (A) Si l'avis est envoyé à une personne ou à l'égard d'une personne qui n'a droit qu'à un bien particulier ou à une somme d'argent précisée, un extrait de la ou des parties du testament ou codicille portant sur le legs, ou une copie du testament (et du ou des codicilles, le cas échéant).
  - (B) Si l'avis est envoyé à un autre bénéficiaire ou à l'égard d'un autre bénéficiaire, une copie du testament (et du ou des codicilles, le cas échéant).
  - (C) Si l'avis est envoyé à l'avocat des enfants ou au Tuteur et curateur public, une copie du testament (et du ou des codicilles, le cas échéant) et une déclaration de la valeur estimative de l'intérêt de la personne représentée.
3. Le requérant désigné dans le présent avis présente une requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession testamentaire.

## REQUÉRANT

NOM

ADRESSE

4. Les sociétés de bienfaisance suivantes ont droit à une partie de la succession :

Nom

Adresse



5. Les personnes suivantes qui ont moins de 18 ans ont droit à une partie de la succession :

Nom	Date de naissance (j/m/a)	Nom et adresse du père, de la mère ou du tuteur
-----	------------------------------	--

6. Les personnes suivantes qui sont des incapables mentaux au sens de l'article 6 de la *Loi de 1992 sur la prise de décisions au nom d'autrui* à l'égard d'une question dans l'instance et qui ont un tuteur ou un procureur constitué en vertu d'une procuration qui est habilitée à agir dans l'instance ont droit à une partie de la succession :

Nom et adresse de la personne	Nom et adresse du tuteur ou du procureur* *Préciser s'il s'agit d'un tuteur ou d'un procureur.
----------------------------------	---

7. Les personnes suivantes qui sont des incapables mentaux au sens de l'article 6 de la *Loi de 1992 sur la prise de décisions au nom d'autrui* à l'égard d'une question dans l'instance et qui n'ont pas de tuteur ni de procureur constitué en vertu d'une procuration qui est habilitée à agir dans l'instance ont droit à une partie de la succession :

Nom et adresse de la personne

8. Des personnes qui ne sont pas encore nées ou qui ne sont pas identifiées peuvent avoir droit à une partie de la succession. (*Rayer la présente disposition si elle ne s'applique pas.*)

9. Toutes les autres personnes qui ont droit à une partie de la succession sont les suivantes :

Nom	Adresse
-----	---------

10. Le présent avis est envoyé, par courrier ordinaire, à toutes les personnes adultes et sociétés de bienfaisance qui y sont désignées (sauf au requérant qui a droit à une partie de la succession), au Tuteur et curateur public si la disposition 4 ou 7 s'applique, au père, à la mère ou au tuteur du mineur et à l'avocat des enfants si la disposition 5 s'applique, au tuteur ou au procureur si la disposition 6 s'applique et à l'avocat des enfants si la disposition 8 s'applique.

DATE :

.....

## FORM 74.16

AFFIDAVIT OF SERVICE OF NOTICE  
ONTARIO COURT (GENERAL DIVISION)

IN THE ESTATE OF (insert name) , deceased.

AFFIDAVIT OF SERVICE OF NOTICE

I, (insert name) , of (insert city or town and county or district, metropolitan or regional municipality of residence), make oath and say/affirm:

1. I am an applicant for a certificate of appointment of estate trustee without a will in the estate.
2. I have sent or caused to be sent a notice in Form 74.17, a copy of which is marked as Exhibit "A" to this affidavit, to all adult persons named in the notice (except to an applicant who is entitled to share in the distribution of the estate), to a parent or guardian of the minor and to the Children's Lawyer if paragraph 3 of the notice applies, to the guardian or attorney if paragraph 4 applies and to the Public Guardian and Trustee if paragraph 5 applies, all by regular lettermail sent to the person's last known address.
3. To the best of my knowledge and belief, the persons named in the notice are all the persons who are entitled to share in the distribution of the estate.

Sworn/affirmed before me at the )  
of )  
in the )  
of )  
this day of , 19 )  
)  
)  
)  
)

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
A Commissioner for Taking Affidavits  
(or as may be)

NOTE: If any person cannot be served, add at the end of paragraph 3 "except for (insert name) who cannot be served because (give explanation)".



### Formule 74.16

**AFFIDAVIT DE SIGNIFICATION D'UN AVIS**

COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

SUCCESSION DE FEU (inscrire le nom).

**AFFIDAVIT DE SIGNIFICATION D'UN AVIS**

Je soussigné(e), (inscrire le nom) , domicilié(e) à  
(inscrire la cité ou la ville et le comté ou la municipalité de district,  
régionale ou de communauté urbaine du domicile), déclare sous serment/affirme  
solennellement ce qui suit :

1. Je suis le requérant d'un certificat de nomination à titre de fiduciaire de la succession non testamentaire, à l'égard de la succession.

2. J'ai envoyé ou fait envoyer un avis rédigé selon la formule 74.17, dont une copie est cotée comme pièce «A» et jointe au présent affidavit, à toutes les personnes adultes désignées dans l'avis (sauf au requérant qui a droit à une partie de la succession) au père, à la mère ou au tuteur du mineur et à l'avocat des enfants si la disposition 3 de l'avis s'applique, au tuteur ou au procureur si la disposition 4 s'applique et au Tuteur et curateur public si la disposition 5 s'applique, par courrier ordinaire et à la dernière adresse connue de la personne.

3. Au mieux de ma connaissance et de ce que je tiens pour véridique, les personnes désignées dans l'avis constituent toutes les personnes qui ont droit à une partie de la succession.

Déclaré sous serment/  
affirmé solennellement devant  
moi dans le/la  
de  
situé(e) dans le/la  
de/du  
le 19

Signature du requérant

commissaire aux affidavits  
(ou la personne autorisée)

REMARQUE : Si une personne ne peut être avisée par signification, ajouter à la fin de la disposition 3 les mots «à l'exception de (*inscrire le nom*) qui ne peut être avisé(e) par signification, car (*expliquer*)».

## FORM 74.17

NOTICE OF AN APPLICATION FOR A  
CERTIFICATE OF APPOINTMENT OF ESTATE TRUSTEE WITHOUT A WILL

## ONTARIO COURT (GENERAL DIVISION)

IN THE ESTATE OF (insert name) , deceased.

NOTICE OF AN APPLICATION FOR A  
CERTIFICATE OF APPOINTMENT OF ESTATE TRUSTEE WITHOUT A WILL

1. The deceased died on (insert date), without a will.
2. The applicant named in this notice is applying for a certificate of appointment of estate trustee without a will.

## APPLICANT

NAME

ADDRESS

3. The following persons who are less than 18 years of age are entitled to share in the distribution of the estate:

Name	Date of birth	Name and address of parent or guardian	Estimated value of interest in estate
------	---------------	--	---------------------------------------

4. The following persons who are mentally incapable within the meaning of section 6 of the *Substitute Decisions Act, 1992* in respect of an issue in the proceeding, and who have guardians or attorneys acting under powers of attorney with authority to act in the proceeding, are entitled to share in the distribution of the estate:

Name and address of person	Name and address of guardian or attorney*	Estimated value of interest in estate
----------------------------	---	---------------------------------------

\*Specify whether guardian or attorney.



5. The following persons who are mentally incapable within the meaning of section 6 of the *Substitute Decisions Act, 1992* in respect of an issue in the proceeding, and who do not have guardians or attorneys acting under powers of attorney with authority to act in the proceeding, are entitled to share in the distribution of the estate:

Name and address  
of person

Estimated value of  
interest in estate

6. All other persons entitled to share in the distribution of the estate are as follows:

Name

Address

7. This notice is being sent, by regular lettermail, to all adult persons named in this notice (except to an applicant who is entitled to share in the distribution of the estate), to a parent or guardian of the minor and to the Children's Lawyer if paragraph 3 applies, to the guardian or attorney if paragraph 4 applies, and to the Public Guardian and Trustee if paragraph 5 applies.

DATE

## FORMULE 74.17

AVIS DE REQUÊTE EN VUE D'OBTENIR UN CERTIFICAT DE NOMINATION  
À TITRE DE FIDUCIAIRE DE LA SUCCESSION NON TESTAMENTAIRE

## COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

SUCCESSION DE FEU (inscrire le nom).

AVIS DE REQUÊTE EN VUE D'OBTENIR UN CERTIFICAT DE NOMINATION  
À TITRE DE FIDUCIAIRE DE LA SUCCESSION NON TESTAMENTAIRE

1. Le défunt est décédé le (inscrire la date) , sans laisser de testament.
2. Le requérant désigné dans le présent avis présente une requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession non testamentaire.

## REQUÉRANT

NOM

ADRESSE

3. Les personnes suivantes qui ont moins de 18 ans ont droit à une partie de la succession :

Nom

Date de  
naissanceNom et  
adresse du  
père, de la  
mère ou du  
tuteurValeur estimative  
de l'intérêt dans  
la succession

4. Les personnes suivantes qui sont des incapables mentaux au sens de l'article 6 de la Loi de 1992 sur la prise de décisions au nom d'autrui à l'égard d'une question dans l'instance et qui ont un tuteur ou un procureur constitué en vertu d'une procuration qui est habilité à agir dans l'instance ont droit à une partie de la succession :



Nom et  
adresse de  
la personne

Nom et  
adresse du  
tuteur ou  
du procureur\*

Valeur estimative  
de l'intérêt dans  
la succession

\*Préciser s'il s'agit d'un tuteur ou d'un procureur.

5. Les personnes suivantes qui sont des incapables mentaux au sens de l'article 6 de la *Loi de 1992 sur la prise de décisions au nom d'autrui* à l'égard d'une question dans l'instance et qui n'ont pas de tuteur ni de procureur constitué en vertu d'une procuration qui est habilitée à agir dans l'instance ont droit à une partie de la succession :

Nom et adresse  
de la personne

Valeur estimative de  
l'intérêt dans la succession.

6. Toutes les autres personnes qui ont droit à une partie de la succession sont les suivantes :

Nom

Adresse

7. Le présent avis est envoyé, par courrier ordinaire, à toutes les personnes adultes qui y sont désignées (sauf au requérant qui a droit à une partie de la succession), au père, à la mère ou au tuteur du mineur et à l'avocat des enfants si la disposition 3 s'applique, au Tuteur ou au procureur si la disposition 4 s'applique et au Tuteur et curateur public si la disposition 5 s'applique.

DATE :

6. The Regulation is amended by adding the following Forms:

6. Le Règlement est modifié par adjonction des formules suivantes :

(Form 74 20.1 under the Rules)

Ontario Court (General Division)

APPLICATION FOR CERTIFICATE OF  
APPOINTMENT OF A FOREIGN ESTATE TRUSTEE'S  
NOMINEE AS ESTATE TRUSTEE WITHOUT A WILLThis application is filed by *(insert name)*

## DETAILS ABOUT THE DECEASED PERSON

Name *(insert surname and forename(s), and, if applicable, any other name by which the deceased person was known)*Address *(street or postal address)* *(city or town)* *(province or state)*  
*(country)*Place of death  
*(city or town; country)*Date of death  
*(day, month, year)*

Country of domicile

## PARTICULARS OF FOREIGN CERTIFICATE

Country (and province or state if applicable) where issued	Issuing court	Date issued <i>(day, month, year)</i>
---	---------------	--

TOTAL VALUE OF ASSETS OF ESTATE	Total
	\$

## VALUE OF ASSETS LOCATED IN ONTARIO

Personal property	Real estate, net of encumbrances	Total
\$	\$	\$



**AFFIDAVIT(S) OF APPLICANT(S)***(Attach a separate sheet for additional affidavits, if necessary.)***I, an applicant named in this application, make oath and say/affirm:**

1. I am the nominee of the foreign estate trustee appointed in the jurisdiction where the deceased was domiciled at the date of death.
2. A copy of the document appointing the foreign estate trustee, certified by the court that issued it, is marked as Exhibit "A" to this affidavit.
3. I am 18 years of age or older.

4. I will faithfully administer the deceased person's property according to law and render a complete and true account of my administration when lawfully required.
5. The information contained in this application and in any attached schedules is true, to the best of my knowledge and belief.

Name (surname and forename(s))

Occupation

Address (street or postal address)

(city or town)

(province)

(postal code)

Sworn/Affirmed before me at the  
of  
in the  
of  
this      day of      , 199

A Commissioner for Taking Affidavits  
(or as may be)

Signature of applicant

**I, an applicant named in this application, make oath and say/affirm:**

1. I am the nominee of the foreign estate trustee appointed in the jurisdiction where the deceased was domiciled at the date of death.
2. A copy of the document appointing the foreign estate trustee, certified by the court that issued it, is marked as Exhibit "A" to this affidavit.
3. I am 18 years of age or older.

4. I will faithfully administer the deceased person's property according to law and render a complete and true account of my administration when lawfully required.
5. The information contained in this application and in any attached schedules is true, to the best of my knowledge and belief.

Name (surname and forename(s))

Occupation

Address (street or postal address)

(city or town)

(province)

(postal code)

Sworn/Affirmed before me at the  
of  
in the  
of  
this      day of      , 199

A Commissioner for Taking Affidavits  
(or as may be)

Signature of applicant

Cour de l'Ontario (Division générale)

(Formule 74.20.1 prévue par les Règles)

**CERTIFICAT DE NOMINATION DE LA  
PERSONNE DÉSIGNÉE PAR LE FIDUCIAIRE DE LA  
SUCCESSION ÉTRANGÈRE À TITRE DE FIDUCIAIRE  
DE LA SUCCESSION NON TESTAMENTAIRE**

La présente requête est déposée par *(inscrire le nom)*

**RENSEIGNEMENTS SUR LE DÉFUNT**

Nom *(inscrire les nom de famille et prénom(s), et, le cas échéant, tout autre nom sous lequel le défunt était connu)*

Adresse *(rue et numéro ou adresse postale)* *(cité ou ville)* *(province ou État)* *(pays)*

Lieu du décès  
*(cité ou ville; pays)*

Date du décès  
*(jour, mois, année)*

Pays du domicile

**PRÉCISIONS CONCERNANT LE CERTIFICAT ÉTRANGER**

Pays (et, le cas échéant, la province ou l'État) où a été délivré le certificat	Tribunal qui a délivré le certificat	Date de la délivrance <i>(jour, mois, année)</i>

VALEUR TOTALE DES BIENS DE LA SUCCESSION

Total

\$

VALEUR DES BIENS SITUÉS EN ONTARIO

Biens meubles	Biens immeubles, déduction faite des sûretés	Total
\$	\$	\$



## AFFIDAVIT(S) DU/DES REQUÉRANT(S)

(Annexer au besoin une autre feuille pour les affidavits additionnels.)

Je soussigné(e), requérant désigné dans la présente requête, déclare sous serment/affirme solennellement ce qui suit :

1. Je suis la personne désignée par le fiduciaire de la succession étrangère nommé dans le territoire où était domicilié le défunt à la date du décès.
2. Une copie du document nommant le fiduciaire de la succession étrangère, certifiée conforme par le tribunal qui a délivré le document est cotée pièce «A» et jointe au présent affidavit.
3. J'ai au moins 18 ans.

4. J'administrerai fidèlement les biens du défunt conformément à la loi et rendrai compte de mon administration de façon exacte et complète dans les cas où la loi m'y oblige.
5. Au mieux de ma connaissance et de ce que je tiens pour véridique, les renseignements contenus dans la présente requête et dans toute annexe de celle-ci sont exacts.

Nom (nom de famille et prénom(s))

Profession

Adresse (numéro et rue ou adresse postale)

(cité ou ville)

(province)

(code postal)

Déclaré sous serment/

affirmé solennellement devant moi

dans le/la

de

situé(e) dans le/la

de/du

le

199\_\_

commissaire aux affidavits

(ou la personne autorisée)

Signature du requérant

Je soussigné(e), requérant désigné dans la présente requête, déclare sous serment/affirme solennellement ce qui suit :

1. Je suis la personne désignée par le fiduciaire de la succession étrangère nommé dans le territoire où était domicilié le défunt à la date du décès.
2. Une copie du document nommant le fiduciaire de la succession étrangère, certifiée conforme par le tribunal qui a délivré le document est cotée pièce «A» et jointe au présent affidavit.
3. J'ai au moins 18 ans.

4. J'administrerai fidèlement les biens du défunt conformément à la loi et rendrai compte de mon administration de façon exacte et complète dans les cas où la loi m'y oblige.
5. Au mieux de ma connaissance et de ce que je tiens pour véridique, les renseignements contenus dans la présente requête et dans toute annexe de celle-ci sont exacts.

Nom (nom de famille et prénom(s))

Profession

Adresse (numéro et rue ou adresse postale)

(cité ou ville)

(province)

(code postal)

Déclaré sous serment/

affirmé solennellement devant moi

dans le/la

de

situé(e) dans le/la

de/du

le

199\_\_

commissaire aux affidavits

(ou la personne autorisée)

Signature du requérant

## FORM 74.20.2

NOMINATION OF APPLICANT BY FOREIGN ESTATE TRUSTEE  
ONTARIO COURT (GENERAL DIVISION)

IN THE ESTATE OF (insert name) , deceased.

## NOMINATION OF APPLICANT BY FOREIGN ESTATE TRUSTEE

1. The deceased died on (insert date) , without a will.
2. I, \_\_\_\_\_ was appointed  
estate trustee by the  
in the jurisdiction where the deceased was domiciled at the date of death,  
on the \_\_\_\_\_ day of \_\_\_\_\_ 199 .
3. I nominate \_\_\_\_\_ to apply in  
Ontario for a certificate of estate trustee without a will.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Signature of witness\_\_\_\_\_  
Signature of person nominating



DÉSIGNATION D'UN REQUÉRANT PAR LE  
FIDUCIAIRE DE LA SUCCESSION ÉTRANGÈRE

COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

SUCCESSION DE FEU (inscrire le nom).

DÉSIGNATION D'UN REQUÉRANT PAR LE  
FIDUCIAIRE DE LA SUCCESSION ÉTRANGÈRE

1. Le défunt est décédé le (inscrire la date)  
 , sans laisser de testament.
2. Je soussigné(e), , ai été nommé(e)  
fiduciaire de la succession par , dans le  
territoire où était domicilié le défunt à la date du décès, le  
jour de 199 .
3. Je désigne pour présenter  
une requête en Ontario en vue d'obtenir un certificat de fiduciaire de la  
succession non testamentaire.

DATE :

Signature du témoin

Signature de l'auteur de la désignation

## FORM 74.20.3

CERTIFICATE OF APPOINTMENT OF FOREIGN ESTATE  
TRUSTEE'S NOMINEE AS ESTATE TRUSTEE WITHOUT A WILL

Court file no.

ONTARIO COURT  
(GENERAL DIVISION)

IN THE ESTATE OF

, deceased,

late of

occupation

who died on

CERTIFICATE OF APPOINTMENT OF FOREIGN ESTATE  
TRUSTEE'S NOMINEE AS ESTATE TRUSTEE WITHOUT A WILL

Applicant

Address

Occupation

This CERTIFICATE OF APPOINTMENT OF FOREIGN ESTATE TRUSTEE'S NOMINEE AS ESTATE TRUSTEE WITHOUT A WILL is hereby issued under the seal of the court to the applicant named above.

DATE

---

Registrar

Address of court office



## FORMULE 74.20.3

**CERTIFICAT DE NOMINATION DE LA PERSONNE DÉSIGNÉE PAR LE  
FIDUCIAIRE DE LA SUCCESSION ÉTRANGÈRE À TITRE DE  
FIDUCIAIRE DE LA SUCCESSION NON TESTAMENTAIRE**

n° du dossier de la cour

**COUR DE L'ONTARIO  
(DIVISION GÉNÉRALE)**

SUCCESSION DE FEU

domicilié(e), à son décès, à  
profession  
décédé(e) le

**CERTIFICAT DE NOMINATION DE LA PERSONNE DÉSIGNÉE PAR LE  
FIDUCIAIRE DE LA SUCCESSION ÉTRANGÈRE À TITRE DE  
FIDUCIAIRE DE LA SUCCESSION NON TESTAMENTAIRE**

Requérant

Adresse

Profession

Le présent CERTIFICAT DE NOMINATION DE LA PERSONNE DÉSIGNÉE PAR LE  
FIDUCIAIRE DE LA SUCCESSION ÉTRANGÈRE À TITRE DE FIDUCIAIRE DE LA SUCCESSION  
NON TESTAMENTAIRE est par la présente délivré, sous le sceau du tribunal, au  
requérant susnommé.

DATE :

---

greffier

adresse du greffe

7. Form 74.44 of the Regulation is revoked and the following substituted:

7. La formule 74.44 du Règlement est abrogée et remplacée par ce qui suit :

## FORM 74.44

## NOTICE OF APPLICATION TO PASS ACCOUNTS

## ONTARIO COURT (GENERAL DIVISION)

IN THE ESTATE OF (insert name), deceased.

## NOTICE OF APPLICATION TO PASS ACCOUNTS

This application to pass accounts will be heard on (date), at (time), at the court house at (full address of court house), if any person with a financial interest in the estate objects to the accounts or to the compensation claimed, or if a request for increased costs is served and filed.

The deceased died on (date).

A certificate of appointment of estate trustee was issued to (insert name) by this court on (date).

The accounts are for the period from (date) to (date).

The compensation claimed by the estate trustee, payable out of the estate, is (insert amount).

If there is no hearing, the costs of the application claimed by the estate trustee under Tariff C are (amount).

If there is no hearing, a person with a financial interest in the estate who retains a solicitor to review the accounts and makes no objection to them (or makes an objection and later withdraws it) but serves on the estate trustee and files with the court a request for costs (Form 74.49 under the Rules of Civil Procedure), will be allowed one-half of the costs allowed to the estate trustee. However, where two or more persons are represented by the same solicitor, they are entitled to receive only one person's costs. If the Children's Lawyer or the Public Guardian and Trustee makes no objection to the accounts (or makes an objection and later withdraws it) but serves on the estate trustee and files with the court a request for costs (Form 74.49.1), he or she will be allowed three-quarters of the costs allowed to the estate trustee.

If the estate trustee or any person with a financial interest in the estate seeks costs of the application greater than the amount allowed in Tariff C, the estate trustee or other person shall serve on every other party and file, with proof of service, a request for increased costs (Form 74.49.2 or 74.49.3 under the Rules of Civil Procedure), at least 10 days before the hearing date specified in this notice of application. In that case, the hearing shall proceed on the date specified.

Any person with a financial interest in the estate who wishes to object shall do so by serving upon the estate trustee, or the solicitor for the estate trustee, a notice of objection to accounts (Form 74.45 under the Rules of Civil Procedure, a copy of which is attached to this notice of application), and by filing a copy of the notice in the court office at least 20 days before the date fixed for the hearing.

At the hearing, the only issues upon which the court adjudicates are those raised in the notices of objection to accounts and requests for increased costs that have been filed, unless the court grants leave to a party to raise other issues.

If no notice of objection to accounts or request for increased costs is served and filed, the estate trustee may, without a hearing, obtain a judgment passing the accounts and allowing the compensation and costs claimed.

Any person may contact the estate trustee or the estate trustee's solicitor to find out whether there will be a hearing. A copy of the accounts may be obtained from the estate trustee or the estate trustee's solicitor, or may be inspected in the court office during regular business hours.

DATE

\_\_\_\_\_  
Registrar

(Name, address and telephone number of estate trustee or solicitor for the estate trustee)

TO: (Name and address of each person with a financial interest in the estate)

(For a person under disability, also indicate name and address of personal representative)

(Attach blank copy of Form 74.45 (notice of objection to accounts).)



## FORMULE 74.44

## AVIS DE REQUÊTE EN APPROBATION DES COMPTES

## COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

SUCCESSION DE FEU (inscrire le nom).

## AVIS DE REQUÊTE EN APPROBATION DES COMPTES

La requête en approbation des comptes visée par le présent avis sera entendue le (date), à (heure), au palais de justice situé au (adresse complète du palais de justice), si une personne ayant un intérêt financier dans la succession s'oppose aux comptes ou à la rémunération demandée, ou si une demande d'augmentation des dépens est signifiée et déposée.

Le défunt est décédé le (date).

Le tribunal susmentionné a délivré un certificat de nomination à titre de fiduciaire de la succession à (inscrire le nom), le (date).

Les comptes visent la période allant du (date) au (date).

La rémunération demandée par le fiduciaire de la succession, payable sur la succession, est de (inscrire le montant).

Si une audience n'est pas tenue, les dépens de la requête demandés par le fiduciaire de la succession aux termes du tarif C sont de (montant).

Si une audience n'est pas tenue, la personne ayant un intérêt financier dans la succession qui retient les services d'un procureur pour examiner les comptes et qui ne s'oppose pas aux comptes (ou qui s'y oppose et retire son opposition par la suite), mais qui signifie au fiduciaire de la succession et dépose au tribunal une demande de dépens (formule 74.49 des Règles de procédure civile), se verra adjuger la moitié des dépens adjugés au fiduciaire de la succession. Toutefois, si plusieurs personnes sont représentées par le même procureur, elles n'ont droit qu'aux dépens d'une seule personne. Si l'avocat des enfants ou le Tuteur et curateur public ne s'oppose pas aux comptes (ou s'y oppose et retire son opposition par la

suite), mais signifie au fiduciaire de la succession et dépose au tribunal une demande de dépens (formule 74.49.1), il se verra adjuger les trois-quarts des dépens adjugés au fiduciaire de la succession.

Si le fiduciaire de la succession ou toute personne ayant un intérêt financier dans la succession tente de se faire adjuger des dépens à l'égard de la requête qui sont supérieurs au montant prévu au tarif C, le fiduciaire ou cette autre personne signifie à chacune des autres parties et dépose, avec la preuve de la signification, une demande d'augmentation des dépens (formule 74.49.2 ou 74.49.3 des Règles de procédure civile), au moins 10 jours avant la date d'audience indiquée dans le présent avis de requête auquel cas, l'audience est tenue à cette date.

Toute personne qui a un intérêt financier dans la succession et qui désire s'opposer aux comptes le fait en signifiant au fiduciaire de la succession ou à son procureur un avis d'opposition aux comptes (formule 74.45 des Règles de procédure civile, dont une copie est jointe au présent avis de requête), et en déposant une copie de cet avis au greffe du tribunal au moins 20 jours avant la date fixée pour l'audience.

Lors de l'audience, le tribunal ne statue que sur les questions soulevées dans les avis d'opposition aux comptes et les demandes d'augmentation des dépens qui ont été déposés, à moins qu'il n'autorise une partie à soulever d'autres questions.

Si aucun avis d'opposition aux comptes ou aux demandes d'augmentation des dépens n'est signifié et déposé, le fiduciaire de la succession peut, sans qu'une audience soit tenue, obtenir un jugement approuvant les comptes et accordant la rémunération et les dépens demandés.

Toute personne peut communiquer avec le fiduciaire de la succession ou son procureur pour savoir si une audience sera tenue. Une copie des comptes peut être obtenue du fiduciaire de la succession ou de son procureur, ou peut être examinée au greffe durant les heures de bureau.

DATE :

\_\_\_\_\_  
greffier

(nom, adresse et numéro de téléphone du  
fiduciaire de la succession ou de son procureur)

DESTINATAIRE : (nom et adresse de chaque personne qui a  
un intérêt financier dans la succession)

(Dans le cas d'un incapable, indiquer aussi  
le nom et l'adresse de son représentant.)

(Joindre un exemplaire non rempli de la formule 74.45 (avis d'opposition aux  
comptes).)

8. The Regulation is amended by adding the following Form:

8. Le Règlement est modifié par adjonction de la formule  
suivante :

**FORM 74.46.1**

**NOTICE OF NON-PARTICIPATION IN PASSING OF ACCOUNTS**

**ONTARIO COURT (GENERAL DIVISION)**

**IN THE ESTATE OF (insert name) , deceased.**

**NOTICE OF NON-PARTICIPATION IN PASSING OF ACCOUNTS**

The (Public Guardian and Trustee) (Children's Lawyer) does not  
intend to participate in the passing of accounts.

**DATE**

(Name, address and telephone number of  
Children's Lawyer or Public Guardian and  
Trustee, or solicitor for Children's  
Lawyer or Public Guardian and Trustee)

**TO:** (Name & address of estate trustee  
or solicitor for the estate trustee)



**FORMULE 74.46.1****AVIS DE NON-PARTICIPATION À L'APPROBATION DES COMPTES****COUR DE L'ONTARIO (DIVISION GÉNÉRALE)**

SUCCESSION DE FEU (inscrire le nom).

**AVIS DE NON-PARTICIPATION À L'APPROBATION DES COMPTES**

(Le Tuteur et curateur public) (L'avocat des enfants) n'a pas l'intention de participer à l'approbation des comptes.

DATE :

(nom, adresse et numéro de téléphone de  
l'avocat des enfants ou du Tuteur et curateur public,  
ou du procureur de l'un ou l'autre, selon le cas)

DESTINATAIRE : (nom et adresse du fiduciaire de la  
succession ou de son procureur)

9. Form 74.49 of the Regulation is revoked and the following substituted:

9. La formule 74.49 du Règlement est abrogée et remplacée par ce qui suit :

FORM 74.49

REQUEST FOR COSTS

(PERSON OTHER THAN CHILDREN'S LAWYER OR PUBLIC GUARDIAN AND TRUSTEE)

ONTARIO COURT (GENERAL DIVISION)

IN THE ESTATE OF (insert name) , deceased.

REQUEST FOR COSTS

(PERSON OTHER THAN CHILDREN'S LAWYER OR PUBLIC GUARDIAN AND TRUSTEE)

I, (insert name) , have retained (insert name) as my solicitor to review the estate accounts. I have no objection to the estate accounts and the claim for compensation by the estate trustee.

I request that I be awarded costs payable out of the estate in the amount of \$ ....., representing one-half of the amount payable to the estate solicitor under Tariff C.

DATE

(Name, address and telephone number  
of party or party's solicitor)

TO: (Name and address of estate trustee  
or solicitor for estate trustee)

## FORMULE 74.49

DEMANDE DE DÉPENS  
(PRÉSENTÉE PAR UNE PERSONNE AUTRE QUE  
L'AVOCAT DES ENFANTS OU LE TUTEUR ET CURATEUR PUBLIC)

COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

SUCCESSION DE FEU (inscrire le nom).

DEMANDE DE DÉPENS  
(PRÉSENTÉE PAR UNE PERSONNE AUTRE QUE  
L'AVOCAT DES ENFANTS OU LE TUTEUR ET CURATEUR PUBLIC)

Je soussigné(e), (inscrire le nom), ai retenu les services de (inscrire le nom), à titre de procureur, pour examiner les comptes de la succession. Je ne m'oppose pas aux comptes de la succession ni à la rémunération demandée par le fiduciaire de la succession.

Je demande que soient adjugés en ma faveur des dépens, payables sur la succession, d'un montant de \$, lequel représente la moitié de la somme payable au procureur de la succession conformément au tarif C.

DATE :

(nom, adresse et numéro de téléphone  
de la partie ou de son procureur)

DESTINATAIRE : (nom et adresse du fiduciaire de la  
succession ou de son procureur)



## FORM 74.49.1

## REQUEST FOR COSTS

(CHILDREN'S LAWYER OR PUBLIC GUARDIAN AND TRUSTEE)

## ONTARIO COURT (GENERAL DIVISION)

IN THE ESTATE OF (insert name) , deceased.

## REQUEST FOR COSTS

(CHILDREN'S LAWYER OR PUBLIC GUARDIAN AND TRUSTEE)

The (Public Guardian and Trustee) (Children's Lawyer) has no objection to the estate accounts and the claim for compensation by the estate trustee.

The (Public Guardian and Trustee) (Children's Lawyer) requests that he or she be awarded costs payable out of the estate in the amount of \$ ....., representing three-quarters of the amount payable to the estate solicitor under Tariff C.

DATE

(Name, address and telephone number of  
Children's Lawyer or Public Guardian and  
Trustee, or solicitor for Children's  
Lawyer or Public Guardian and Trustee)

TO: (Name and address of estate trustee  
or solicitor for estate trustee)

## FORMULE 74.49.1

**DEMANDE DE DÉPENS  
(PRÉSENTÉE PAR L'AVOCAT DES ENFANTS OU LE TUTEUR ET CURATEUR PUBLIC)**

COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

SUCCESSION DE FEU (inscrire le nom).

**DEMANDE DE DÉPENS  
(PRÉSENTÉE PAR L'AVOCAT DES ENFANTS OU LE TUTEUR ET CURATEUR PUBLIC)**

(Le Tuteur et curateur public) (L'avocat des enfants) ne s'oppose pas aux comptes de la succession ni à la rémunération demandée par le fiduciaire de la succession.

(Le Tuteur et curateur public) (L'avocat des enfants) demande que soient adjugés en sa faveur des dépens, payables sur la succession, d'un montant de \$, lequel représente les trois-quarts de la somme payable au procureur de la succession conformément au tarif C.

DATE :

(nom, adresse et numéro de téléphone de  
l'avocat des enfants ou du Tuteur et curateur public,  
ou du procureur de l'un ou l'autre, selon le cas)

DESTINATAIRE : (nom et adresse du fiduciaire de la  
succession ou de son procureur)

## FORM 74.49.2

## REQUEST FOR INCREASED COSTS (ESTATE TRUSTEE)

## ONTARIO COURT (GENERAL DIVISION)

IN THE ESTATE OF (insert name), deceased.

## REQUEST FOR INCREASED COSTS (ESTATE TRUSTEE)

I request that I be awarded costs payable out of the estate in the amount of \$ , which is greater than the amount allowed under Tariff C. I understand that this necessitates a hearing on the date specified in the notice of application.

DATE

(Name, address and telephone number of estate trustee or solicitor for estate trustee)

TO: (Name and address of each person with a financial interest in the estate)

(For a person under disability, also indicate name and address of personal representative)



## FORMULE 74.49.2

## DEMANDE D'AUGMENTATION DES DÉPENS (FIDUCIAIRE DE LA SUCCESSION)

## COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

SUCCESSION DE FEU (inscrire le nom).

## DEMANDE D'AUGMENTATION DES DÉPENS (FIDUCIAIRE DE LA SUCCESSION)

Je demande que soient adjugés en ma faveur des dépens, payables sur la succession, d'un montant de \$, lequel est supérieur au montant prévu au tarif C. Je comprends que ma demande nécessite la tenue d'une audience à la date indiquée dans l'avis de requête.

DATE :

(nom, adresse et numéro de téléphone du  
fiduciaire de la succession ou de son procureur)

DESTINATAIRE : (nom et adresse de chaque personne qui a  
un intérêt financier dans la succession)

(Dans le cas d'un incapable, indiquer aussi le  
nom et l'adresse de son représentant.)

## FORM 74.49.3

## REQUEST FOR INCREASED COSTS (PERSON OTHER THAN ESTATE TRUSTEE)

## ONTARIO COURT (GENERAL DIVISION)

IN THE ESTATE OF (insert name) , deceased.

## REQUEST FOR INCREASED COSTS (PERSON OTHER THAN ESTATE TRUSTEE)

1. I, (insert name) , have retained (insert name) as my solicitor to review the estate accounts. I have no objection to the estate accounts and the claim for compensation by the estate trustee.

2. I request that I be awarded costs payable out of the estate in the amount of \$ which is greater than one-half the amount payable to the estate trustee under Tariff C. I understand that this necessitates a hearing on the date specified in the notice of application.

DATE

(Name, address and telephone number  
of person or person's solicitor)

TO: (Name and address of every other person with  
a financial interest in the estate)

(For a person under disability, also indicate  
name and address of personal representative)

(Name and address of estate trustee or  
solicitor for estate trustee)

## FORMULE 74.49.3

DEMANDE D'AUGMENTATION DES DÉPENS  
(PRÉSENTÉE PAR UNE PERSONNE AUTRE QUE LE FIDUCIAIRE DE LA SUCCESSION)

## COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

SUCCESSION DE FEU (inscrire le nom).

DEMANDE D'AUGMENTATION DES DÉPENS  
(PRÉSENTÉE PAR UNE PERSONNE AUTRE QUE LE FIDUCIAIRE DE LA SUCCESSION)

1. Je soussigné(e), (inscrire le nom), ai retenu les services de (inscrire le nom), à titre de procureur, pour examiner les comptes de la succession. Je ne m'oppose pas aux comptes de la succession ni à la rémunération demandée par le fiduciaire de la succession.

2. Je demande que soient adjugés en ma faveur des dépens, payables sur la succession, d'un montant de \$, lequel est supérieur à la moitié de la somme payable au fiduciaire de la succession conformément au tarif C. Je comprend que ma demande nécessite la tenue d'une audience à la date indiquée dans l'avis de requête.

DATE :

(nom, adresse et numéro de téléphone  
de la personne ou de son procureur)

DESTINATAIRE : (nom et adresse de toute autre personne qui a  
un intérêt financier dans la succession)

(Dans le cas d'un incapable, indiquer aussi le  
nom et l'adresse de son représentant.)

(nom et adresse du fiduciaire de la succession  
ou de son procureur)



10. **Tariff C of the Regulation is revoked and the following substituted:**

10. **Le tarif C du Règlement est abrogé et remplacé par ce qui suit :**

### TARIFF C

#### SOLICITORS' COSTS ALLOWED ON PASSING OF ACCOUNTS WITHOUT A HEARING

(1) <u>ESTATE TRUSTEE</u>	<u>Amount of costs</u>
<u>Amount of receipts</u>	\$ 800
Less than \$100,000 .....	
\$100,000 or more, but less than \$300,000 .....	1,750
\$300,000 or more, but less than \$500,000 .....	2,000
\$500,000 or more, but less than \$1,000,000 .....	2,500
\$1,000,000 or more, but less than \$1,500,000 .....	3,000
\$1,500,000 or more, but less than \$3,000,000 .....	4,000
\$3,000,000 or more .....	5,000
 (2) <u>PERSON WITH FINANCIAL INTEREST IN ESTATE</u>	
If a person with a financial interest in an estate retains a solicitor to review the accounts, makes no objection to the accounts (or makes an objection and later withdraws it) and serves and files a request for costs, the person is entitled to one-half of the amount payable to the estate trustee.	
 (3) <u>CHILDREN'S LAWYER OR PUBLIC GUARDIAN AND TRUSTEE</u>	
If the Children's Lawyer or the Public Guardian and Trustee makes no objection to the accounts (or makes an objection and later withdraws it) and serves and files a request for costs, he or she is entitled to three-quarters of the amount payable to the estate trustee.	

Note: If two or more persons are represented by the same solicitor, they are entitled to receive only one person's costs.

Note: A person entitled to costs under this tariff is also entitled to the amount of G.S.T. on those costs.

### TARIF C

#### DÉPENS DU PROCUREUR ADJUGÉS LORS DE L'APPROBATION DES COMPTES SANS AUDIENCE

(1) <u>FIDUCIAIRE DE LA SUCCESSION</u>	<u>Dépens</u>
<u>Rentrées de fonds</u>	
Moins de 100 000 \$ .....	800 \$
100 000 \$ ou plus, mais moins de 300 000 \$ .....	1 750
300 000 \$ ou plus, mais moins de 500 000 \$ .....	2 000
500 000 \$ ou plus, mais moins de 1 000 000 \$ .....	2 500
1 000 000 \$ ou plus, mais moins de 1 500 000 \$ .....	3 000
1 500 000 \$ ou plus, mais moins de 3 000 000 \$ .....	4 000
3 000 000 \$ ou plus .....	5 000
 (2) <u>PERSONNE AYANT UN INTÉRÊT FINANCIER DANS LA SUCCESSION</u>	
Si une personne ayant un intérêt financier dans une succession retient les services d'un procureur pour examiner les comptes, ne s'oppose pas aux comptes (ou s'y oppose et retire son opposition par la suite) et signifie et dépose une demande de dépens, elle a droit à la moitié de la somme payable au fiduciaire de la succession.	
 (3) <u>AVOCAT DES ENFANTS OU TUTEUR ET CURATEUR PUBLIC</u>	
Si l'avocat des enfants ou le Tuteur et curateur public ne s'oppose pas aux comptes (ou s'y oppose et retire son opposition par la suite) et signifie et dépose une demande de dépens, il a droit aux trois-quarts de la somme payable au fiduciaire de la succession.	

Remarque : Si plusieurs personnes sont représentées par le même procureur, elles n'ont droit qu'aux dépens d'une seule personne.

Remarque : La personne qui a droit à des dépens aux termes du présent tarif a également droit au montant de la T.P.S. sur ces dépens.

11. This Regulation comes into force on October 1, 1996.

11. Le présent règlement entre en vigueur le 1<sup>er</sup> octobre 1996.

**ONTARIO REGULATION 333/96**

made under the  
**COURTS OF JUSTICE ACT**

Made: July 17, 1996  
Approved: July 17, 1996  
Filed: July 18, 1996

Amending Reg. 194 of R.R.O. 1990  
(Rules of Civil Procedure)

Note: Since January 1, 1996, Regulation 194 has been amended by Ontario Regulations 60/96, 61/96, 175/96 and 332/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) **Subrule 4.02 (3) of Regulation 194 of the Revised Regulations of Ontario, 1990 is amended by striking out "and" at the end of clause (e) and by adding the following clauses:**

- (g) the fax number, if any, of the solicitor serving or filing the document or, where a party acts in person, his or her fax number, if any; and
- (h) the fax number, if known, of the person on whom the document is served.

(2) **Subrule 4.02 (4) of the Regulation is revoked.**

2. (1) **Subrules 61.03.1 (1) and (2) of the Regulation are revoked and the following substituted:**

***Motion in Writing***

(1) Where an appeal to the Court of Appeal requires the leave of that court, the motion for leave shall be heard in writing, without the attendance of parties or counsel.

***Notice of Motion***

(2) The notice of motion for leave to appeal shall state that the court will hear the motion in writing, 36 days after service of the moving party's motion record, factum and transcripts, if any, or on the filing of the moving party's reply factum, if any, whichever is earlier.

(2) **Subrule 61.03.1 (4) of the Regulation is amended by striking out "in accordance with" in the second line and substituting "as provided in".**

(3) **Subrule 61.03.1 (7) of the Regulation is amended by striking out "in accordance with" in the second and third lines and substituting "as provided in".**

3. (1) **Subrule 61.16 (1) of the Regulation is revoked and the following substituted:**

***Rule 37 Applies Generally***

(1) Rule 37, except rules 37.02 to 37.05 (jurisdiction to hear motions, place of hearing, to whom to be made, hearing date), subrule 37.07 (6) (minimum notice period), subrule 37.08 (filing of notice of motion), rule 37.10 (motion record) and rule 37.17 (motion before commencement of proceeding), applies to motions in an appellate court, with necessary modifications.

(2) **Rule 61.16 of the Regulation is amended by adding the following subrules:**

***Minimum Notice Period, Filing***

(3.1) Where a motion is made on notice, the notice of motion shall be served and filed with proof of service in the office of the Registrar, at least three days before the hearing date.

**RÈGLEMENT DE L'ONTARIO 333/96**

pris en application de la  
**LOI SUR LES TRIBUNAUX JUDICIAIRES**

pris le 17 juillet 1996  
approuvé le 17 juillet 1996  
déposé le 18 juillet 1996

modifiant le Règl. 194 des R.R.O. de 1990  
(Règles de procédure civile)

Remarque : Depuis le 1<sup>er</sup> janvier 1996, le Règlement 194 a été modifié par les Règlements de l'Ontario 60/96, 61/96, 175/96 et 332/96. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. (1) **Le paragraphe 4.02 (3) du Règlement 194 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction des alinéas suivants :**

- g) le numéro de télécopieur, s'il y en a un, du procureur qui signifie ou dépose le document ou, si une partie agit en son propre nom, son numéro de télécopieur, s'il y en a un;
- h) le numéro de télécopieur, s'il est connu, de la personne à qui le document est signifié.

(2) **Le paragraphe 4.02 (4) du Règlement est abrogé.**

2. (1) **Les paragraphes 61.03.1 (1) et (2) du Règlement sont abrogés et remplacés par ce qui suit :**

***Motion présentée par écrit***

(1) Si un appel ne peut être interjeté devant la Cour d'appel qu'avec son autorisation, la motion en autorisation est entendue sur pièces, en l'absence des parties et des avocats.

***Avis de motion***

(2) L'avis de motion en autorisation d'interjeter appel précise que le tribunal entendra la motion sur pièces, 36 jours après la signification du dossier de motion, du mémoire et, le cas échéant, des transcriptions de l'auteur de la motion ou, s'il survient en premier, au moment du dépôt du mémoire de réponse de l'auteur de la motion, le cas échéant.

(2) **Le paragraphe 61.03.1 (4) du Règlement est modifié par substitution de «comme le prévoit le» à «conformément au» à la deuxième ligne.**

(3) **Le paragraphe 61.03.1 (7) du Règlement est modifié par substitution de «comme le prévoit le» à «conformément au» à la troisième ligne.**

3. (1) **Le paragraphe 61.16 (1) du Règlement est abrogé et remplacé par ce qui suit :**

***Application générale de la Règle 37***

(1) À l'exclusion des règles 37.02 à 37.05 (compétence pour connaître des motions, lieu de l'audience, personnes devant lesquelles les motions doivent être présentées, date d'audience), du paragraphe 37.07 (6) (délai minimal de signification), de la règle 37.08 (dépôt de l'avis de motion), de la règle 37.10 (dossier de motion) et de la règle 37.17 (motion précédant l'introduction de l'instance), la Règle 37 s'applique, avec les adaptations nécessaires, aux motions présentées devant un tribunal d'appel.

(2) **La règle 61.16 du Règlement est modifiée par adjonction des paragraphes suivants :**

***Délai minimal pour la signification et le dépôt***

(3.1) Si une motion est présentée sur préavis, celui-ci est signifié et déposé avec la preuve de sa signification au greffe, au moins trois jours avant la date de l'audience.



*Certificate of Estimated Time for Argument*

(3.2) The notice of motion shall contain a certificate stating how much time (expressed in hours or fractions of an hour) counsel estimates will be required for his or her oral argument, not including reply.

4. Subrule 64.05 (7) of the Regulation is amended by striking out "the relative rights and liabilities of the original defendants among themselves" and substituting "the respective rights and liabilities of the original defendants".

5. Forms 4C, 14B, 64B to 64E and 64G to 64K of the Regulation are revoked and the following substituted:

*Certificat de la durée estimative de la plaidoirie*

(3.2) L'avis de motion comprend un certificat qui indique le temps (exprimé en heures ou en fractions d'heure) que l'avocat estime nécessaire à la présentation de la plaidoirie, à l'exclusion de la réponse.

4. Le paragraphe 64.05 (7) du Règlement est modifié par substitution de «droits et obligations respectifs des défendeurs originaux» à «droits respectifs des défendeurs originaux entre eux» aux cinquième et sixième lignes.

5. Les formules 4C, 14B, 64B à 64E et 64G à 64K du Règlement sont abrogées et remplacées par ce qui suit :



**FORM 4C**  
**BACKSHEET**

(Short title of proceeding)

(Court file no.)

(Name of Court)

PROCEEDING COMMENCED AT (place)

(Title of document)

(if affidavit, indicate name  
of deponent and date sworn)

(Name, address, telephone number and  
fax number of solicitor or party)

(Fax number, if known, of  
person on whom document is to be  
served)

FORMULE 4C  
FEUILLE ARRIÈRE

(intitulé abrégé de l'instance)

(n° du dossier de la cour)

(nom du tribunal)

INSTANCE INTRODUITE À (lieu)

(intitulé du document)

(s'il s'agit d'un affidavit, indiquer le nom du déposant et la date où l'affidavit a été fait sous serment)

(nom, adresse, numéro de téléphone et numéro de télécopieur du procureur ou de la partie)

(numéro de télécopieur, s'il est connu, de la personne à qui le document doit être signifié)

## FORM 14B

## STATEMENT OF CLAIM (MORTGAGE ACTION - FORECLOSURE)

*(General heading)**(Court seal)*

## STATEMENT OF CLAIM (MORTGAGE ACTION - FORECLOSURE)

TO THE DEFENDANT

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the plaintiff. The claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Ontario lawyer acting for you must prepare a statement of defence in Form 18A prescribed by the Rules of Civil Procedure, serve it on the plaintiff's lawyer or, where the plaintiff does not have a lawyer, serve it on the plaintiff, and file it, with proof of service, in this court office, WITHIN 20 DAYS after this statement of claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your statement of defence is 40 days. If you are served outside Canada and the United States of America, the period is 60 days.

Instead of serving and filing a statement of defence, you may serve and file a notice of intent to defend in Form 18B prescribed by the Rules of Civil Procedure. This will entitle you to 10 more days within which to serve and file your statement of defence.

*(Where payment of the mortgage debt is claimed, add:)*

IF YOU PAY THE PLAINTIFF'S CLAIM, and \$..... for costs, within the time for serving and filing your statement of defence, you may move to have this proceeding dismissed by the court. If you believe the amount claimed for costs is excessive, you may pay the plaintiff's claim and \$100 for costs and have the costs assessed by the court.



## REQUEST TO REDEEM

Whether or not you serve and file a statement of defence, you may request the right to redeem the mortgaged property by serving a request to redeem (Form 64A) on the plaintiff and filing it in this court office within the time for serving and filing your statement of defence or at any time before being noted in default. If you do so, you will be entitled to seven days notice of the taking of the account of the amount due to the plaintiff, and to 60 days from the taking of the account within which to redeem the mortgaged property.

If you hold a lien, charge or encumbrance on the mortgaged property subsequent to the mortgage in question, you may file a request to redeem, which must contain particulars of your claim verified by an affidavit, and you will be entitled to redeem only if your claim is not disputed or, if disputed, is proved on a reference.

## REQUEST FOR SALE

If you do not serve and file a statement of defence, you may request a sale of the mortgaged property by serving a request for sale (Form 64F) on the plaintiff and filing it in this court office within the time for serving and filing your statement of defence, or at any time before being noted in default. If you do so, the plaintiff will be entitled to obtain a judgment for a sale with a reference and you will be entitled to notice of the reference.

If you hold a lien, charge or encumbrance on the mortgaged property subsequent to the mortgage in question and you do not serve and file a request to redeem, you may file a request for sale which must contain particulars of your claim verified by an affidavit, and must be accompanied by a receipt showing that \$250 has been paid into court as security for the costs of the plaintiff(s) and of any other party having carriage of the sale.

## DEFAULT JUDGMENT

IF YOU FAIL TO SERVE AND FILE A STATEMENT OF DEFENCE, JUDGMENT MAY BE GIVEN AGAINST YOU WITHOUT FURTHER NOTICE. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

Date:

Issued by

Local registrar

Address of

court office:

TO: (Name and address of each defendant)

(sale action)

REQUEST TO REDEEM

Whether or not you serve and file a statement of defence, you may request the right to redeem the mortgaged property by serving a request to redeem (Form 64A) on the plaintiff and filing it in this court office within the time for serving and filing your statement of defence, or at any time before being noted in default. If you do so, you will be entitled to seven days notice of the taking of the account of the amount due to the plaintiff, and to 60 days from the taking of the account within which to redeem the mortgaged property.

DEFAULT JUDGMENT

IF YOU FAIL TO SERVE AND FILE A STATEMENT OF DEFENCE, JUDGMENT MAY BE GIVEN AGAINST YOU WITHOUT FURTHER NOTICE. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

Date: \_\_\_\_\_ Issued by \_\_\_\_\_  
Local registrar  
Address of \_\_\_\_\_  
court office: \_\_\_\_\_  
\_\_\_\_\_

TO: (Name and address of each defendant)

(Subsequent encumbrancers are not to be named as defendants in this statement of claim in a sale action.)

(In an action under the simplified procedure provided in Rule 76, add:)

THIS ACTION IS BROUGHT AGAINST YOU UNDER THE SIMPLIFIED PROCEDURE PROVIDED IN RULE 76 OF THE RULES OF CIVIL PROCEDURE.



## CLAIM

## 1. The plaintiff claims:

(foreclosure)

- (a) that the equity of redemption in the property secured by the mortgage mentioned below be foreclosed;

(or)

(sale)

- (a) that the property secured by the mortgage mentioned below be sold and the proceeds of sale applied towards the amount due under the mortgage, and payment to the plaintiff by the defendant (name of defendant against whom payment of any deficiency is claimed) personally of any deficiency if the sale proceeds are not sufficient to pay the amount found due to the plaintiff;

(possession)

- (b) possession of the mortgaged property;

(payment of mortgage debt)

- (c) payment by the defendant (name of defendant against whom payment of mortgage debt is claimed) of the sum of \$..... (from paragraph 5 below) now due under the mortgage together with interest at the rate of (mortgage rate) per cent per year until judgment;

(interest)

- (d) post-judgment interest in accordance with the Courts of Justice Act (or where the mortgage provides for interest after judgment at the mortgage rate, substitute: post-judgment interest at the rate of (mortgage rate) per cent per year in accordance with the mortgage); and

(costs)

(e) the costs of this action (on a solicitor and client basis if the mortgage so provides).

2. The plaintiff's claim is on a mortgage dated (date), made between (name of mortgagor) and (name of mortgagee), and registered (give particulars of registration and of any assignment of the mortgage), under which the defendant (or as may be) mortgaged the property described below for a term of ..... years securing the sum of \$..... and interest on that sum at the rate of ..... per cent per year. The mortgage provides for the payment of principal and interest as follows: (Set out terms of payment. Add a reference to provisions in the mortgage for solicitor and client costs and post-judgment interest if applicable.)

3. The mortgage provides that on default of payment of any sum required to be paid under the mortgage, the principal becomes due and payable and the plaintiff is entitled to possession of the mortgaged property and to foreclosure of the equity of redemption in the mortgaged property (or sale of the mortgaged property or as may be).

4. (Where a claim for payment is made under section 20 of the Mortgages Act against a person other than the original mortgagor, add:) The defendant (name) became liable under section 20 of the Mortgages Act to pay the amount of the mortgage debt to the plaintiff by reason of (set out particulars of the transfer of the mortgaged property from the original mortgagor to this defendant).

5. Default in payment of principal and interest (or as may be) occurred on (date), and still continues.

6. There is now due under the terms of the mortgage:

- |     |  |         |
|-----|--|---------|
| (a) | for principal                            | \$..... |
| (b) | for taxes paid                           | \$..... |
| (c) | for premiums of insurance paid           | \$..... |
| (d) | for maintenance costs paid maintenance   | \$..... |
| (e) | for heating costs paid                   | \$..... |
| (f) | for utility costs paid                   | \$..... |
|     | (add any other costs in similar fashion) |         |
| (g) | for interest (set out particulars)       | \$..... |

Total now due: \$.....

The defendant (name) is liable to pay these sums and subsequent interest at the rate of ..... per cent per year.

7. The following is a description of the mortgaged property:  
(Set out a description sufficient for registration. For Land Titles land, include the parcel number.)

(In a foreclosure action where on or more subsequent encumbrancers are named as defendants, add:)

8. The defendant (name) has been made a party to this action as a subsequent encumbrancer.

(Where the statement of claim is to be served outside Ontario without a court order, set out the facts and the specific provisions of Rule 17 relied on in support of the service.)

The plaintiff proposes that this action be tried at (place).

(Date)

(Name, address and telephone  
number of plaintiff's solicitor  
or plaintiff)



## FORMULE 14B

## DÉCLARATION (ACTION HYPOTHÉCAIRE - FORCLUSION)

(titre)

(sceau de la cour)

## DÉCLARATION (ACTION HYPOTHÉCAIRE - FORCLUSION)

## AU DÉFENDEUR

UNE INSTANCE A ÉTÉ INTRODUITE CONTRE VOUS par le demandeur. La demande contre vous est exposée dans les pages suivantes.

SI VOUS DÉSIREZ CONTESTER L'INSTANCE, vous-même ou un avocat de l'Ontario vous représentant devez préparer une défense selon la formule 18A prescrite par les Règles de procédure civile, la signifier à l'avocat du demandeur ou, si ce dernier n'a pas retenu les services d'un avocat, au demandeur lui-même, et la déposer, accompagnée de la preuve de sa signification, à ce greffe, AU PLUS TARD 20 JOURS après que vous avez reçu signification de la présente déclaration, si la signification vous est faite en Ontario.

Si la signification vous est faite dans une autre province ou un territoire du Canada ou aux États-Unis d'Amérique, vous avez 40 jours pour signifier et déposer votre défense. Si la signification vous est faite à l'extérieur du Canada et des États-Unis d'Amérique, le délai est de 60 jours.

Au lieu de signifier et de déposer une défense, vous pouvez signifier et déposer un avis d'intention de présenter une défense selon la formule 18B prescrite par les Règles de procédure civile. Vous aurez, dans ce cas, 10 jours de plus pour signifier et déposer votre défense.

(En cas de demande de paiement d'une dette hypothécaire, ajouter :)

SI VOUS PAYEZ LA DEMANDE DU DEMANDEUR ainsi que .... \$ au titre des dépens dans le délai imparti pour la signification et le dépôt de votre défense, vous pouvez demander au tribunal, par voie de motion, de rejeter l'instance. Si vous pensez que le montant demandé au titre des dépens est trop élevé, vous pouvez payer la demande du demandeur, verser 100 \$ au titre des dépens et demander au tribunal de les liquider.

## DEMANDE DE RACHAT

Que vous signifiez et déposiez ou non une défense, vous pouvez demander le droit de racheter le bien hypothéqué en signifiant une demande de rachat (formule 64A) au demandeur et en déposant celle-ci à ce greffe dans le délai imparti pour signifier et déposer votre défense ou à n'importe quel moment avant que vous ne soyez constaté(e) en défaut. Vous aurez, dans ce cas, droit à un préavis de sept jours de la reddition de comptes relative au montant dû au demandeur et à un délai de 60 jours à compter de cette date pour racheter le bien hypothéqué.

Si vous êtes titulaire d'un privilège, d'une charge ou d'une sûreté sur le bien hypothéqué qui est postérieur à l'hypothèque, vous pouvez déposer une demande de rachat qui doit donner des précisions sur votre demande, attestées par affidavit. Vous n'aurez le droit de racheter le bien que si votre demande n'est pas contestée ou, si elle l'est, que si son bien-fondé est établi dans un renvoi.

## DEMANDE DE VENTE

Si vous ne signifiez ni ne déposez de défense, vous pouvez demander la vente du bien hypothéqué en signifiant une demande de vente (formule 64F) au demandeur et en déposant celle-ci à ce greffe dans le délai imparti pour signifier et déposer votre défense ou à n'importe quel moment avant que vous ne soyez constaté(e) en défaut. Le demandeur aura, dans ce cas, le droit d'obtenir un jugement de vente accompagné d'un renvoi et vous aurez le droit d'être avisé(e) du renvoi.

Si vous êtes titulaire d'un privilège, d'une charge ou d'une sûreté sur le bien hypothéqué qui est postérieur à l'hypothèque et que vous ne signifiez ni ne déposez de demande de rachat, vous pouvez déposer une demande de vente qui doit donner des précisions sur votre demande, attestées par affidavit, et doit être accompagnée d'un reçu indiquant que 250 \$ ont été consignés au tribunal à titre de cautionnement pour les dépens du demandeur et de toute autre partie responsable de la vente.

JUGEMENT PAR DÉFAUT

SI VOUS NE SIGNIFIEZ NI NE DÉPOSEZ DE DÉFENSE, UN JUGEMENT PEUT ÊTRE  
RENDU CONTRE VOUS SANS QUE VOUS RECEVIEZ D'AUTRE AVIS. SI VOUS DÉSIREZ  
CONTESTER L'INSTANCE MAIS QUE VOS MOYENS NE VOUS PERMETTENT PAS DE PAYER LES  
FRAIS DE JUSTICE, VOUS POUVEZ VOUS ADRESSER À UN BUREAU LOCAL D'AIDE JURIDIQUE  
POUR DÉTERMINER VOTRE ADMISSIBILITÉ À L'AIDE JURIDIQUE.

date .....	délivrée par .....	greffier local
	adresse du greffe .....	
		.....

DESTINATAIRES : (nom et adresse de chaque défendeur)



(action en vente)

## DEMANDE DE RACHAT

Que vous signifiez et déposiez ou non une défense, vous pouvez demander le droit de racheter le bien hypothéqué en signifiant une demande de rachat (formule 64A) au demandeur et en déposant celle-ci à ce greffe dans le délai imparti pour signifier et déposer votre défense ou à n'importe quel moment avant que vous ne soyez constaté(e) en défaut. Vous aurez, dans ce cas, droit à un préavis de sept jours de la reddition de comptes relative au montant dû au demandeur et à un délai de 60 jours à compter de cette date pour racheter le bien hypothéqué.

## JUGEMENT PAR DÉFAUT

SI VOUS NE SIGNIFIEZ NI NE DÉPOSEZ DE DÉFENSE, UN JUGEMENT PEUT ÊTRE RENDU CONTRE VOUS SANS QUE VOUS RECEVIEZ D'AUTRE AVIS. SI VOUS DÉSIREZ CONTESTER L'INSTANCE MAIS QUE VOS MOYENS NE VOUS PERMETTENT PAS DE PAYER LES FRAIS DE JUSTICE, VOUS POUVEZ VOUS ADRESSER À UN BUREAU LOCAL D'AIDE JURIDIQUE POUR DÉTERMINER VOTRE ADMISSIBILITÉ À L'AIDE JURIDIQUE.

date .....  
 délivrée par .....  
 greffier local  
 adresse du  
 greffe .....  
 .....

DESTINATAIRES : (nom et adresse de chaque défendeur)

(Dans une action en vente, les titulaires postérieurs d'une sûreté ne sont pas désignés en qualité de défendeurs dans la déclaration.)

(Dans une action régie par la procédure simplifiée prévue par la Règle 76, ajouter :)

L'ACTION EST INTRODUITE CONTRE VOUS DANS LE CADRE DE LA PROCÉDURE SIMPLIFIÉE PRÉVUE PAR LA RÈGLE 76 DES RÈGLES DE PROCÉDURE CIVILE.

## DEMANDE

1. Le demandeur demande :

(forclusion)

- a) la forclusion du droit de rachat du bien garanti par l'hypothèque mentionnée ci-dessous;

(ou)

(vente)

- a) que le bien garanti par l'hypothèque mentionnée ci-dessous soit vendu, que le produit de la vente soit affecté au paiement de la dette hypothécaire et que le défendeur (nom du défendeur à qui le paiement d'un déficit est demandé) comble personnellement tout déficit si le produit de la vente ne suffit pas à payer en entier la dette hypothécaire;

(possession)

- b) la possession du bien hypothéqué;

(paiement de la dette hypothécaire)

- c) que le défendeur (nom du défendeur à qui le paiement de la dette hypothécaire est demandé) paie .... \$ (disposition 5 ci-dessous), le montant échu, et les intérêts au taux de (taux d'intérêt hypothécaire) pour cent par an jusqu'au jugement;

(intérêts)

- d) des intérêts postérieurs au jugement conformément à la Loi sur les tribunaux judiciaires (ou si l'hypothèque prévoit des intérêts après le jugement, au taux d'intérêt hypothécaire, remplacer par : des intérêts postérieurs au jugement au taux de (taux d'intérêt hypothécaire) pour cent par an conformément à l'hypothèque);

(dépens)

- e) les dépens de l'action (selon la formule procureur-client si l'hypothèque le prévoit).

2. La demande du demandeur porte sur une hypothèque en date du (date), conclue entre (nom du débiteur hypothécaire) et (nom du créancier hypothécaire), et enregistrée (préciser l'enregistrement et toute cession de l'hypothèque), en vertu de laquelle le défendeur (ou la mention appropriée) a hypothéqué le bien décrit ci-dessous pour une durée de .... ans en garantie d'une somme de .... \$ et des intérêts sur cette somme, au taux annuel de ... pour cent. L'hypothèque prévoit le paiement du principal et des intérêts de la façon suivante : (Indiquer les conditions de paiement. Ajouter un renvoi aux dispositions de l'hypothèque concernant les dépens procureur-client et les intérêts postérieurs au jugement, s'il y a lieu.)

3. L'hypothèque prévoit qu'en cas de défaut de paiement d'une somme qui doit être payée aux termes de l'hypothèque, le principal est dû et exigible et le demandeur a droit à la possession du bien hypothéqué et à la forclusion du droit de rachat de ce bien (ou à la vente du bien hypothéqué ou la mention appropriée).

4. (Si une demande de paiement est présentée conformément à l'article 20 de la Loi sur les hypothèques contre une personne qui n'est pas le débiteur hypothécaire initial, ajouter :) Le défendeur (nom) est devenu responsable, en vertu de l'article 20 de la Loi sur les hypothèques, du paiement de la dette hypothécaire due au demandeur à la suite de (donner des précisions sur le transport du bien hypothéqué du débiteur hypothécaire initial au défendeur).

5. Le défaut de paiement du principal et des intérêts (ou la mention appropriée) est survenu le (date) et se continue.

6. Les montants suivants sont échus aux termes de l'hypothèque :

a)	principal acquitté	.....	\$
b)	impôts fonciers acquittés	.....	\$
c)	primes d'assurance acquittées	.....	\$
d)	frais d'entretien acquittés	.....	\$
e)	dépenses de chauffage acquittées	.....	\$
f)	services publics acquittés	.....	\$
	(ajouter les autres frais		
	de la même façon)		
g)	intérêts acquittés	.....	\$
	(donner des précisions)		

Montant total dû maintenant : ..... \$



Le défendeur (nom) est tenu de payer ces montants et des intérêts postérieurs au taux de ..... pour cent par an.

7. Voici la description du bien hypothéqué : (Donner une description suffisante aux fins de l'enregistrement. Dans le cas d'un bien-fonds assujéti à l'enregistrement des droits immobiliers, ajouter le numéro de la parcelle.)

(Si un ou plusieurs titulaires postérieurs de sûretés sont désignés en qualité de défendeurs à l'action en forclusion, ajouter :)

8. Le défendeur (nom) a été constitué partie à l'action en qualité de titulaire postérieur d'une sûreté.

(Si la déclaration doit être signifiée à l'extérieur de l'Ontario sans ordonnance du tribunal, indiquer les faits et les dispositions précises de la Règle 17 qui fondent cette signification.)

Le demandeur propose que l'action soit instruite à/au (lieu).

(date)

(nom, adresse et numéro de téléphone  
du procureur du demandeur ou du  
demandeur)

## FORM 64B

## DEFAULT JUDGMENT FOR FORECLOSURE WITH A REFERENCE

*(General heading)**(Court seal)*

## JUDGMENT

On reading the statement of claim in this action and the proof of service of the statement of claim on the defendant(s), filed, no request to redeem or request for sale having been served and filed (or the defendant(s) *(name(s))* having served and filed a request to redeem) and the defendant(s) having been noted in default, and the plaintiff wishing a reference (or the registrar having decided to sign judgment with a reference),

1. IT IS ORDERED AND ADJUDGED that all necessary inquiries be made, accounts taken, costs fixed or assessed and steps taken for redemption or foreclosure of the equity of redemption in the mortgaged property described in the attached schedule, and that for these purposes this action be referred to the master (or as may be) at *(place)*. The mortgage is dated ..... and made between *(name of mortgagor)* and *(name of mortgagee)*, and registered *(give particulars of registration and of any assignment of the mortgage)*.

*(Where judgment is for possession, add:)*

2. IT IS ORDERED AND ADJUDGED that the defendant *(name)* deliver to the plaintiff or as the plaintiff directs possession of the mortgaged property or of such part of it as is in the possession of the defendants.

*(Where judgment is for payment of the mortgage debt and the registrar is to take the account, add the following two paragraphs:)*

3. IT IS ORDERED AND ADJUDGED that the defendant *(name)* forthwith pay to the plaintiff the sum of \$....., being the amount due to the plaintiff(s) today for principal, interest and costs; and on payment of the amount due to the plaintiff, the plaintiff convey the mortgaged property to the defendant or as the defendant directs, in accordance with section 2 of the *Mortgages Act*, and deliver up all documents relating to the mortgaged property.

THIS JUDGMENT BEARS INTEREST at the rate of (rate claimed in the statement of claim) per cent per year from its date.

(Where judgment is for payment of the mortgage debt and the plaintiff wishes the account to be taken on the reference or the registrar refers the taking of the account, substitute the following two paragraphs:)

3. IT IS ORDERED AND ADJUDGED that the defendant (name) pay to the plaintiff, forthwith after confirmation of the report on the reference, the amount found due for principal, interest and costs in accordance with the report, and on payment of the amount due to the plaintiff, the plaintiff convey the mortgaged property to the defendant or as the defendant directs, in accordance with section 2 of the Mortgages Act, and deliver up all documents relating to the mortgaged property.

THIS JUDGMENT BEARS INTEREST at the rate set out in the report on the reference from the date of confirmation of the report.

Date: \_\_\_\_\_

Signed by \_\_\_\_\_

Local registrar

Address of

court office: \_\_\_\_\_

(The description of the mortgaged property in the attached schedule must be the same as in the statement of claim.)



## FORMULE 64B

## JUGEMENT DE FORCLUSION PAR DÉFAUT ACCOMPAGNÉ D'UN RENVOI

(titre)

(sceau de la cour)

## JUGEMENT

Après avoir lu la déclaration dans la présente action et la preuve de sa signification au(x) défendeur(s), qui ont été déposées, et attendu qu'aucune demande de rachat ou de vente n'a été signifiée ni déposée (ou que le(s) défendeur(s) (nom(s)) a (ont) signifié et déposé une demande de rachat), que le défaut du (des) défendeur(s) a été constaté et que le demandeur désire un renvoi (ou que le greffier a décidé de signer un jugement accompagné d'un renvoi),

1. IL EST ORDONNÉ ET JUGÉ que soient menées les enquêtes nécessaires, que soit établi l'état des comptes, que soient fixés ou liquidés les dépens et que soient prises des mesures en vue du rachat ou de la forclusion du droit de rachat du bien hypothéqué décrit dans l'annexe ci-jointe et, qu'à ces fins, l'action soit renvoyée au protonotaire (ou la mention appropriée) à/au (lieu). L'hypothèque est datée du ....., conclue entre (nom du débiteur hypothécaire) et (nom du créancier hypothécaire) et enregistrée (donner les détails de l'enregistrement et, le cas échéant, de la cession de l'hypothèque).

(Si le jugement ordonne la mise en possession du bien hypothéqué, ajouter :)

2. DE PLUS, IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) restitue au demandeur le bien hypothéqué ou la partie de ce bien qu'il possède ou se conforme aux directives de ce dernier.

(Si le jugement ordonne le paiement de la dette hypothécaire et que le greffier doit établir l'état des comptes, ajouter les deux dispositions suivantes :)

3. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse sans délai au demandeur la somme de ..... \$, qui constitue le montant dû à ce jour au demandeur à titre de principal, d'intérêts et de dépens, et que lors du paiement du montant dû au demandeur, celui-ci cède le bien hypothéqué au défendeur ou se conforme aux directives de ce dernier, aux termes de l'article 2 de la Loi sur les hypothèques, et remette tous les documents qui se rapportent au bien hypothéqué.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux annuel de ..... pour cent  
(taux demandé dans la déclaration) à partir de la date à laquelle il est  
rendu.

(Si le jugement ordonne le paiement de la dette hypothécaire et que le  
demandeur veut faire établir l'état des comptes lors du renvoi ou que le  
greffier renvoie la reddition des comptes, remplacer par les deux dispositions  
suivantes :)

3. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse au demandeur, dès la  
confirmation du rapport sur le renvoi, le montant dû à titre de principal,  
d'intérêts et de dépens arrêté conformément au rapport, et que lors du  
paiement du montant dû au demandeur, celui-ci cède le bien hypothéqué au  
défendeur ou se conforme aux directives de ce dernier, aux termes de  
l'article 2 de la Loi sur les hypothèques, et remette tous les documents qui  
se rapportent au bien hypothéqué.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux précisé dans le rapport sur le  
renvoi à partir de la date de confirmation du rapport.

date .....	signature .....	greffier local
	adresse du greffe .....	
	.....	

(La description du bien hypothéqué dans l'annexe ci-jointe doit être la même  
que celle qui se trouve dans la déclaration.)

## FORM 64C

## DEFAULT JUDGMENT FOR IMMEDIATE FORECLOSURE

*(General heading)**(Court seal)*

## JUDGMENT

On reading the statement of claim in this action and the proof of service of the statement of claim on the defendant(s), filed, no request to redeem or request for sale having been served and filed, the defendant(s) having been noted in default, and the plaintiff not wishing a reference,

1. IT IS ORDERED AND ADJUDGED that the right, title and equity of redemption of the defendant(s) *(name(s))* to and in the mortgaged property described in the attached schedule are foreclosed. The mortgage is dated ..... and made between *(name of mortgagor)* and *(name of mortgagee)*, and registered *(give particulars of registration and of any assignment of the mortgage)*.

*(Where judgment is for possession, add:)*

2. IT IS ORDERED AND ADJUDGED that the defendant *(name)* forthwith deliver to the plaintiff or as the plaintiff directs possession of the mortgaged property or of such part of it as is in the possession of the defendant.

*(Where judgment is for payment of the mortgage debt, add the following two paragraphs:)*

3. IT IS ORDERED AND ADJUDGED that the defendant *(name)* forthwith pay to the plaintiff the sum of \$....., being the amount due to the plaintiff today for principal, interest and costs.



THIS JUDGMENT BEARS INTEREST at the rate of (rate claimed in the statement of claim) per cent per year from its date.

Date: \_\_\_\_\_ Signed by \_\_\_\_\_  
Local registrar

Address of  
court office: \_\_\_\_\_

(The description of the mortgaged property in the attached schedule must be the same as in the statement of claim.)

## FORMULE 64C

## JUGEMENT DE FORCLUSION IMMÉDIATE PAR DÉFAUT

(titre)

(sceau de la cour)

## JUGEMENT

Après avoir lu la déclaration dans la présente action et la preuve de sa signification au(x) défendeur(s), qui ont été déposées, et attendu qu'aucune demande de rachat ou de vente n'a été signifiée ni déposée, que le défaut du (des) défendeur(s) a été constaté et que le demandeur ne désire pas de renvoi,

1. IL EST ORDONNÉ ET JUGÉ que le(s) défendeur(s) (nom(s)), titulaire(s) d'un droit de propriété et d'un droit de rachat sur le bien hypothéqué décrit dans l'annexe ci-jointe, soit (soient) forclos d'exercer ces droits. L'hypothèque est datée du ....., conclue entre (nom du débiteur hypothécaire) et (nom du créancier hypothécaire) et enregistrée (donner les détails de l'enregistrement et, le cas échéant, de la cession de l'hypothèque).

(Si le jugement ordonne la mise en possession du bien hypothéqué, ajouter :)

2. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) restitue sans délai au demandeur le bien hypothéqué ou la partie de ce bien qu'il possède, ou se conforme aux directives de ce dernier.

(Si le jugement ordonne le paiement de la dette hypothécaire, ajouter les deux dispositions suivantes :)

3. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse sans délai au demandeur la somme de ..... \$, qui constitue le montant dû à ce jour au demandeur à titre de principal, d'intérêts et de dépens.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux annuel de ..... pour cent  
(taux demandé dans la déclaration) à partir de la date à laquelle il est  
rendu.

date ..... signature .....  
greffier local  
adresse du greffe .....  
.....

(La description du bien hypothéqué dans l'annexe ci-jointe doit être la même  
que celle qui se trouve dans la déclaration.)



## FORM 64D

## DEFAULT JUDGMENT FOR FORECLOSURE WITHOUT A REFERENCE

(General heading)

(Court seal)

## JUDGMENT

On reading the statement of claim in this action and the proof of service of the statement of claim on the defendant(s), filed, no request for sale having been served and filed, the defendant(s) (name(s)) having served and filed a request to redeem and the defendant(s) having been noted in default, and the account having been taken in the presence of the solicitor(s) for the plaintiff(s) (or the plaintiff) and the solicitor(s) for the defendant(s) (where applicable, add (identify party) appearing in person or no one appearing for the defendant (name) although served with notice of the taking of the account as appears from the affidavit of (name), filed),

1. I FIND that the following sums are due to the plaintiff from the defendant (name of owner of equity of redemption) on (redemption date), the day I have fixed for payment under the mortgage in question in this action:

- |                                    |         |
|------------------------------------|---------|
| (a) for principal                  | \$..... |
| (b) for taxes paid                 | \$..... |
| (c) for premiums of insurance paid | \$..... |
| (d) for maintenance costs paid     | \$..... |
| (e) for heating costs paid         | \$..... |
| (f) for utility costs paid         | \$..... |

(add any other costs in similar fashion)

- |   |         |
|---|---------|
| (g) for interest up to (date of judgment)   | \$..... |
| (h) for costs of this action  | \$..... |
| (i) for subsequent interest on the principal at the<br>rate of ..... per cent per year up to the day fixed<br>for payment | \$..... |

making a total amount due on (redemption date) of	\$.....
---	---------

## 2. IT IS ORDERED AND ADJUDGED that:

- (a) on payment of the sum of \$..... (total amount due from paragraph 1) into the (name of financial institution) at (address), to the joint credit of the plaintiff and the Accountant of the Ontario Court (or the local registrar); or
- (b) on recovery by the plaintiff of the amount due under paragraph 6 of this judgment, together with post-judgment interest,

on or before (redemption date), the plaintiff shall convey the mortgaged property described in the attached schedule to the defendant (name) or as the defendant(s) direct(s), in accordance with section 2 of the Mortgages Act, and deliver up all documents relating to the mortgaged property. The mortgage is dated ..... and made between (name of mortgagor) and (name of mortgagee), and registered (give particulars of registration and of any assignment of the mortgage).

(Delete clause (b) where the judgment does not order payment of the mortgage debt.)

(Where more than one party is entitled to redeem, add:)

3. IT IS ORDERED AND ADJUDGED that the defendant (name of encumbrancer) is entitled to the first right to redeem and the defendant (name) is entitled to the second right to redeem (and so on) and the defendant (name of owner of equity of redemption) is entitled to the last right to redeem.

(Foreclosure on default in payment)

4. IT IS ORDERED AND ADJUDGED that, on default in payment as required by paragraph 2, the right, title and equity of redemption of the defendant(s) to and in the mortgaged property described in the attached schedule are foreclosed.

(Where judgment is for possession, add:)

5. IT IS ORDERED AND ADJUDGED that the defendant (name) forthwith deliver to the plaintiff or as the plaintiff directs, possession of the mortgaged property, or of such part of it as is in the possession of the defendant.

(Where judgment is for payment of the mortgage debt, add the following two paragraphs:)

6. IT IS ORDERED AND ADJUDGED that the defendant (name) forthwith pay to the plaintiff(s) the sum of \$....., being the amount due to the plaintiff today for principal, interest and costs.

THIS JUDGMENT BEARS INTEREST at the rate of (rate claimed in statement of claim) per cent per year from its date.

Date:

Issued by

Local registrar

Address of

court office:

(The description of the mortgaged property in the attached schedule must be the same as in the statement of claim.)



## FORMULE 64D

## JUGEMENT DE FORCLUSION PAR DÉFAUT SANS RENVOI

(titre)

(sceau de la cour)

## JUGEMENT

Après avoir lu la déclaration dans la présente action et la preuve de sa signification au(x) défendeur(s), qui ont été déposées, et attendu qu'aucune demande de vente n'a été signifiée ni déposée, que le(s) défendeur(s) (nom(s)) a (ont) signifié et déposé une demande de rachat, que le défaut du (des) défendeur(s) a été constaté, que l'état de compte a été établi en présence du procureur du demandeur (ou du demandeur) et du (des) procureur(s) du (des) défendeur(s) (s'il y a lieu, ajouter : (nom) comparaissant en personne ou personne ne représentant le défendeur (nom), même si celui-ci a reçu signification d'un avis à cet effet comme le démontre l'affidavit de (nom) qui est déposé),

1. JE CONCLUS que le défendeur (nom du propriétaire du droit de rachat) est redevable des sommes suivantes au demandeur au (date du rachat), jour que j'ai fixé pour le paiement, en vertu de l'hypothèque visée dans la présente action :

a)	principal	. . . . .	\$
b)	impôts acquittés	. . . . .	\$
c)	primes d'assurance acquittées	. . . . .	\$
d)	frais d'entretien acquittés	. . . . .	\$
e)	dépenses de chauffage acquittées	. . . . .	\$
f)	services publics acquittés	. . . . .	\$
	(ajouter les autres frais de la même façon)		
g)	intérêts jusqu'au (date du jugement)	. . . . .	\$
h)	dépens de l'action	. . . . .	\$
i)	intérêts postérieurs sur le principal		
	au taux annuel de . . . . . pour cent		
	jusqu'au jour fixé pour le paiement	. . . . .	\$
	Total dû au (date de rachat)	. . . . .	\$

## 2. IL EST ORDONNÉ ET JUGÉ :

- a) soit après le dépôt de la somme de ..... \$ (montant total dû conformément à la disposition 1) auprès de (dénomination sociale de l'établissement financier) à/au (adresse), au crédit commun du demandeur et du comptable de la Cour de l'Ontario (ou du greffier local);
- b) soit après le recouvrement par le demandeur du montant dû conformément à la disposition 6 du présent jugement, ainsi que des intérêts postérieurs au jugement,

qu'au plus tard le (date de rachat), le demandeur cède le bien hypothéqué décrit dans l'annexe ci-jointe au défendeur (nom) ou se conforme aux directives de ce dernier, aux termes de l'article 2 de la *Loi sur les hypothèques*, et remette tous les documents qui se rapportent au bien hypothéqué. L'hypothèque est datée du ....., conclue entre (nom du débiteur hypothécaire) et (nom du créancier hypothécaire) et enregistrée (donner les détails de l'enregistrement et, le cas échéant, de la cession de l'hypothèque).

(Enlever l'alinéa b) si le jugement n'ordonne pas le paiement de la dette hypothécaire.)

(Si plus d'une partie a le droit de racheter le bien hypothéqué, ajouter :)

3. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom du titulaire de la sûreté) ait le premier droit de rachat et que le défendeur (nom) ait le deuxième droit de rachat (et ainsi de suite) et que le défendeur (nom du propriétaire du droit de rachat) ait le dernier droit de rachat.

(Forclusion en cas de défaut de payer)

4. IL EST ORDONNÉ ET JUGÉ qu'à défaut par le(s) défendeur(s) titulaire(s) d'un droit de propriété et d'un droit de rachat sur le bien hypothéqué décrit dans l'annexe ci-jointe de payer la somme exigée à la disposition 2, le(s) défendeur(s) soit (soient) forclos d'exercer ces droits.

(Si le jugement ordonne la mise en possession du bien hypothéqué, ajouter :)

5. II EST ORDONNÉ ET JUGÉ que le défendeur (nom) restitue sans délai au demandeur le bien hypothéqué ou la partie de ce bien qu'il possède, ou se conforme aux directives de ce dernier.

(Si le jugement ordonne le paiement de la dette hypothécaire, ajouter les deux dispositions suivantes :)

6. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse sans délai au demandeur la somme de ..... \$, qui constitue le montant dû à ce jour au demandeur à titre de principal, d'intérêts et de dépens.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux annuel de ..... pour cent (taux demandé dans la déclaration) à partir de la date à laquelle il est rendu.

date .....	signature .....
	greffier local
	adresse du greffe .....
	.....

(La description du bien hypothéqué dans l'annexe ci-jointe doit être la même que celle qui se trouve dans la déclaration.)



## FORM 64E

## FINAL ORDER OF FORECLOSURE

(Court)

(Court file no.)

(Day and date)

(Name of judge or officer)

(Court seal)

(Title of proceeding)

## FINAL ORDER OF FORECLOSURE

THIS MOTION made by (identify moving party), without notice, was heard this day.

(Order following judgment or report granting redemption period)

ON READING the judgment in this action dated (date), (where there is an order fixing a new day for payment, add: the order for a new day for payment dated (date)), (where a notice of change of account has been delivered, add: the notice of change of account, with proof of service,) and the certificate of the (title) of the (financial institution) at (place), with affidavit of execution, and the affidavit of the plaintiff, and on hearing the submissions of counsel for the plaintiff, and since the defendant(s) entitled to redeem has (have) not redeemed the mortgaged property,

1. IT IS ORDERED that the right, title and equity of redemption of the defendant(s) (names of those who failed to serve and file a request to redeem, to attend and prove a claim on the taking of account or to redeem the mortgaged property) to and in the mortgaged property described in the attached schedule are foreclosed. The mortgage is dated ..... and made between (name of mortgagor) and (name of mortgagee), and registered (give particulars of registration and of any assignment of the mortgage).

*(Order following report granting redemption period)*

ON READING the judgment in this action dated (date), and the report in this action dated (date) and confirmed on (date), with proof of service, (where there is an order fixing a new day for payment, add: the order for a new day for payment dated (date), with proof of service,) (where a notice of change of account has been delivered, add: the notice of change of account, with proof of service, and the certificate of the (title) of the (financial institution) at (place), with affidavit of execution,) and the affidavit of the plaintiff, and on hearing the submissions of counsel for the plaintiff, and since the defendant(s) entitled to redeem has (have) not redeemed the mortgaged property,

1. IT IS ORDERED that the right, title and equity of redemption of the defendant(s) (names of those who failed to serve and file a request to redeem, to attend and prove a claim on the reference or to redeem the mortgaged property) to and in the mortgaged property described in the attached schedule are foreclosed. The mortgage is dated ..... and made between (name of mortgagor) and (name of mortgagee), and registered (give particulars of registration and of any assignment of the mortgage).

*(Order following report granting no redemption period)*

ON READING the judgment in this action dated (date) and the report in this action dated (date) and confirmed on (date), with proof of service, and the affidavit of the plaintiff, and on hearing the submissions of counsel for the plaintiff, and since no defendant is entitled to redeem,

1. IT IS ORDERED that the right, title and equity of redemption of the defendant(s) (names) to and in the mortgaged property described in the attached schedule are foreclosed. The mortgage is dated ..... and made between (name of mortgagor) and (name of mortgagee), and registered (give particulars of registration and of any assignment of the mortgage).

*(Order following redemption of plaintiff by encumbrancer)*

ON READING the judgment in this action dated (date), (where there is a report, add: the report on the reference in this action dated (date) and confirmed on (date), with proof of service), the certificate of the (title) of the (financial institution) at (place), with affidavit of execution, and the affidavit of the defendant (name of defendant who has redeemed), on hearing the submissions of counsel for the defendant, and since the defendant has redeemed the plaintiff, and has obtained an assignment of the judgment and the mortgage and has registered the latter, and since the defendants (names) are in default,

1. IT IS ORDERED that the right, title and equity of redemption of the defendant(s) (names of those who failed to serve and file a request to redeem, to attend and prove a claim on the reference or to redeem the mortgaged property) to and in the mortgaged property described in the attached schedule are foreclosed. The mortgage is dated ..... and made between (name of mortgagor) and (name of mortgagee), and registered (give particulars of registration and of any assignment of the mortgage).

*(Note: The preceding types of order in this form, which are for use in a foreclosure action, may be adapted for a redemption action by substituting "defendant" for "plaintiff" and "plaintiff" for "defendant", whenever those words appear.)*

*(Order following report in redemption action, where necessary to refer back to the master (or as may be) to complete redemption.)*

ON READING the judgment in this action dated (date), the report on the reference in this action dated (date) and confirmed on (date), with proof of service, the certificate of the (title) of the (financial institution) at (place), with affidavit of execution, and the affidavit of the defendant (name), and on hearing the submissions of counsel for the defendant, and since the plaintiff has failed to redeem (where there are subsequent encumbrancers and the defendant wishes to foreclose them, add: and it is necessary to take accounts between the defendants),



1. IT IS ORDERED that the right, title and equity of redemption of the plaintiff to and in the mortgaged property described in the attached schedule are foreclosed. The mortgage is dated ..... and made between (name of mortgagor) and (name of mortgagee), and registered (give particulars of registration and of any assignment of the mortgage).

(Where subsequent encumbrancers are to be foreclosed)

2. IT IS ORDERED that all necessary inquiries be made, accounts taken, costs fixed or assessed and steps taken for redemption by or foreclosure against any subsequent encumbrancers, and that for these purposes this action be referred to the master (or as may be) at (place).

(Where accounts are to be taken)

3. IT IS ORDERED that all necessary inquiries be made, accounts taken, costs fixed or assessed and steps taken for the adjustment of the respective rights and liabilities of the original defendants.

(Signature of judge, master or registrar)

(The description of the mortgaged property in the attached schedule must be the same as in the statement of claim.)

## FORMULE 64E

## ORDONNANCE DÉFINITIVE DE FORCLUSION

(tribunal)

(n° du dossier du tribunal)

(nom du juge ou de l'officier de justice)

(jour et date)

(sceau de la cour)

(intitulé de l'instance)

## ORDONNANCE DÉFINITIVE DE FORCLUSION

LA PRÉSENTE MOTION de (désigner l'auteur de la motion) a été entendue aujourd'hui sans préavis.

(Ordonnance à la suite du jugement accordant un délai de rachat)

APRÈS AVOIR LU le jugement rendu dans la présente action le (date), (en cas d'ordonnance fixant une nouvelle date de paiement, ajouter : l'ordonnance du (date) fixant une nouvelle date de paiement), (en cas de remise d'un avis de modification de l'état de compte, ajouter : l'avis de modification de l'état de compte de même que la preuve de sa signification,) le certificat de (titre) de (établissement financier) à/au (lieu) de même que l'affidavit du témoin à la signature et l'affidavit du demandeur, après avoir entendu les plaidoiries de l'avocat du demandeur, et attendu que le(s) défendeur(s) qui était (étaient) titulaire(s) d'un droit de rachat du bien hypothéqué ne l'a (ont) pas racheté,

1. IL EST ORDONNÉ que le(s) défendeur(s) (noms de ceux qui n'ont pas signifié ni déposé de demande de rachat, qui, lors de la reddition des comptes, ne se sont pas présentés ni n'ont établi le bien-fondé de leur demande ou n'ont pas racheté le bien hypothéqué), titulaire(s) d'un droit de propriété et d'un droit de rachat sur le bien hypothéqué décrit dans l'annexe ci-jointe, soit (soient) forclos d'exercer ces droits. L'hypothèque est datée du ....., conclue entre (nom du débiteur hypothécaire) et (nom du créancier hypothécaire) et enregistrée (donner les détails de l'enregistrement et, le cas échéant, de la cession de l'hypothèque).



(Ordonnance à la suite du rapport accordant un délai de rachat)

APRÈS AVOIR LU le jugement rendu dans la présente action le (date) et le rapport présenté dans la présente action le (date) et confirmé le (date), avec la preuve de sa signification, (en cas d'ordonnance fixant une nouvelle date de paiement, ajouter : et l'ordonnance du (date) fixant une nouvelle date de paiement, avec la preuve de sa signification,) (en cas de remise d'un avis de modification de l'état de compte, ajouter : l'avis de modification de l'état de compte de même que la preuve de sa signification, et le certificat de (titre) de (établissement financier) à/au (lieu) de même que l'affidavit du témoin à la signature,) et l'affidavit du demandeur, et après avoir entendu les plaidoiries de l'avocat du demandeur, et attendu que le(s) défendeur(s) qui était (étaient) titulaire(s) d'un droit de rachat du bien hypothéqué, ne l'a (ont) pas racheté,

1. IL EST ORDONNÉ que le(s) défendeur(s) (nom(s) de celui (ceux) qui n'a (ont) pas signifié ni déposé de demande de rachat, qui, lors du renvoi, ne s'est (se sont) pas présenté(s) ni n'a (ont) établi le bien-fondé de sa (leur) demande ou n'a (ont) pas racheté le bien hypothéqué), titulaire(s) d'un droit de propriété et d'un droit de rachat sur le bien hypothéqué décrit dans l'annexe ci-jointe, soit (soient) forclos d'exercer ces droits. L'hypothèque est datée du ....., conclue entre (nom du débiteur hypothécaire) et (nom du créancier hypothécaire) et enregistrée (donner les détails de l'enregistrement et, le cas échéant, de la cession de l'hypothèque).

(Ordonnance à la suite du rapport n'accordant pas de délai de rachat)

APRÈS AVOIR LU le jugement rendu dans la présente action le (date), le rapport présenté dans la présente action le (date) et confirmé le (date), avec la preuve de la signification, et l'affidavit du demandeur, après avoir entendu les plaidoiries de l'avocat du demandeur, et attendu qu'aucun défendeur n'a le droit de racheter le bien hypothéqué,

1. IL EST ORDONNÉ que le(s) défendeur(s) (nom(s)) titulaire(s) d'un droit de propriété et d'un droit de rachat sur le bien hypothéqué décrit dans l'annexe ci-jointe soit (soient) forclos d'exercer ces droits. L'hypothèque est datée du ....., conclue entre (nom du débiteur hypothécaire) et (nom du créancier hypothécaire) et enregistrée (donner les détails de l'enregistrement et, le cas échéant, de la cession de l'hypothèque).

(Ordonnance à la suite du rachat de la créance par le titulaire d'une sûreté)

APRÈS AVOIR LU le jugement rendu dans la présente action le (date), (en cas de rapport, ajouter : le rapport sur le renvoi dans la présente action



daté du (date) et confirmé le (date), avec la preuve de sa signification) le certificat de (titre) de (établissement financier) à/au (lieu) de même que l'affidavit du témoin à la signature et l'affidavit du défendeur (nom du défendeur qui a exercé son droit de rachat), après avoir entendu les plaidoiries de l'avocat du défendeur, attendu que le défendeur a racheté la créance du demandeur, a obtenu une cession du jugement et de l'hypothèque et a procédé à l'enregistrement de cette dernière, et attendu que le défaut des défendeurs (noms) a été constaté,

1. IL EST ORDONNÉ que le(s) défendeur(s) (nom(s) de celui (ceux) qui n'a (ont) pas signifié ni déposé, de demande de rachat, qui, lors du renvoi, ne s'est (se sont) pas présenté(s) ni n'a (ont) établi le bien-fondé de sa (leur) demande ou n'a (ont) pas racheté le bien hypothéqué), titulaire(s) d'un droit de propriété et d'un droit de rachat sur le bien hypothéqué décrit dans l'annexe ci-jointe, soit (soient) forclos d'exercer ces droits. L'hypothèque est datée du ....., conclue entre (nom du débiteur hypothécaire) et (nom du créancier hypothécaire) et enregistrée (donner les détails de l'enregistrement et, le cas échéant, de la cession de l'hypothèque).

(Remarque : Les modèles précédents d'ordonnance dans la présente formule, qui doivent être utilisés dans les actions en forclusion, peuvent servir, si les adaptations nécessaires y sont apportées, lors d'une action en rachat par substitution du mot «demandeur» au mot «défendeur» et du mot «défendeur» au mot «demandeur», là où ces mots figurent.)

(Ordonnance à la suite du rapport sur l'action en rachat si le renvoi au protonotaire (ou la mention appropriée) est nécessaire afin de compléter la procédure de rachat)

APRÈS AVOIR LU le jugement rendu dans la présente action le (date), le rapport sur le renvoi dans la présente action daté du (date) et confirmé le (date), avec la preuve de la signification, le certificat de (titre) de (établissement financier) à/au (lieu) de même que l'affidavit du témoin à la signature et l'affidavit du défendeur (nom), après avoir entendu les plaidoiries de l'avocat du défendeur, et attendu que le demandeur n'a pas racheté le bien hypothéqué (s'il existe des titulaires postérieurs d'une sûreté et que le défendeur veut les faire déclarer forclos, ajouter : et qu'il est nécessaire de procéder à l'établissement de l'état des comptes de chacun des défendeurs),

1. IL EST ORDONNÉ que le demandeur titulaire d'un droit de propriété et d'un droit de rachat sur le bien hypothéqué décrit dans l'annexe ci-jointe soit forclos d'exercer ces droits. L'hypothèque est datée du ....., conclue entre (nom du débiteur hypothécaire) et (nom du créancier

hypothécaire) et enregistrée (donner les détails de l'enregistrement et, le cas échéant, de la cession de l'hypothèque).

(Si des titulaires postérieurs d'une sûreté doivent être déclarés forclos)

2. IL EST ORDONNÉ que soient menées les enquêtes nécessaires, que soit établi l'état des comptes, que soient fixés ou liquidés les dépens et que soient prises des mesures en vue du rachat par tout titulaire postérieur d'une sûreté ou en vue de sa forclusion et, qu'à ces fins, l'action soit renvoyée au protonotaire (ou la mention appropriée) à/au (lieu).

(Si l'état des comptes doit être établi)

3. IL EST ORDONNÉ que soient menées les enquêtes nécessaires, que soit établi l'état des comptes, que soient fixés ou liquidés les dépens et que soient prises des mesures en vue de rajuster les droits et obligations respectifs des défendeurs originaux.

(signature du juge, du protonotaire ou du greffier)

(La description du bien hypothéqué dans l'annexe ci-jointe doit être la même que celle qui se trouve dans la déclaration.)

.....

## FORM 64G

DEFAULT JUDGMENT FOR SALE WITH A REDEMPTION PERIOD  
(ACTION CONVERTED FROM FORECLOSURE TO SALE)

(General heading)

(Court seal)

## JUDGMENT

On reading the statement of claim in this action and the proof of service of the statement of claim on the defendant(s), filed, the defendant (name) having served and filed a request for sale, the defendant(s) having been noted in default and the defendant(s) (name(s)) having served and filed a request to redeem,

1. IT IS ORDERED AND ADJUDGED that all necessary inquiries be made, accounts taken, costs fixed or assessed and steps taken for redemption or sale of the mortgaged property described in the attached schedule, and that for these purposes this action be referred to the master (or as may be) at (place).

(Where judgment is for possession, add:)

2. IT IS ORDERED AND ADJUDGED that the defendant (name) deliver to the plaintiff or as the plaintiff directs possession of the mortgaged property or of such part of it as is in the possession of the defendant.

(Where judgment is for payment of the mortgage debt and the registrar is to take the account, add the following two paragraphs:)

3. IT IS ORDERED AND ADJUDGED that the defendant (name) forthwith pay to the plaintiff the sum of \$....., being the amount due to the plaintiff today for principal, interest and costs; and that, on payment of the amount due to the plaintiff before the sale takes place, the plaintiff convey the mortgaged property to the defendant or as the defendant directs, in accordance with section 2 of the Mortgages Act, and deliver up all documents relating to the mortgaged property.



THIS JUDGMENT BEARS INTEREST at the rate of (rate claimed in statement of claim) per cent per year from its date.

(Where judgment is for payment of the mortgage debt and the plaintiff wishes the account to be taken on reference or the registrar refers the taking of the account, substitute the following two paragraphs:)

3. IT IS ORDERED AND ADJUDGED that the defendant (name) pay to the plaintiff, forthwith after the confirmation of the report on the reference, the amount found due for principal, interest and costs in accordance with the report; and that on payment of the amount due to the plaintiff before the sale takes place, the plaintiff convey the mortgaged property to the defendant or as the defendant directs, in accordance with section 2 of the *Mortgages Act*, and deliver up all documents relating to the mortgaged property.

THIS JUDGMENT BEARS INTEREST at the rate set out in the report on the reference from the date of confirmation of the report.

Date: \_\_\_\_\_ Signed by \_\_\_\_\_  
Local registrar

Address of  
court office: \_\_\_\_\_  
\_\_\_\_\_

(The description of the mortgaged property in the attached schedule must be the same as in the statement of claim.)

## FORMULE 64G

JUGEMENT DE VENTE PAR DÉFAUT ACCOMPAGNÉ D'UN DÉLAI DE RACHAT  
(TRANSFORMATION DE LA FORCLUSION EN VENTE)

(titre)

(sceau de la cour)

## JUGEMENT

Après avoir lu la déclaration dans la présente action et la preuve de sa signification au(x) défendeur(s), qui ont été déposées, et attendu que le défendeur (nom) a signifié et déposé une demande de vente, que le défaut du (des) défendeur(s) a été constaté et que le (les) défendeur(s) (nom(s)) a (ont) signifié et déposé une demande de rachat,

1. IL EST ORDONNÉ ET JUGÉ que soient menées les enquêtes nécessaires, que soit établi l'état des comptes, que soient fixés ou liquidés les dépens et que soient prises des mesures en vue du rachat ou de la vente du bien hypothéqué décrit dans l'annexe ci-jointe et, qu'à ces fins, l'action soit renvoyée au protonotaire (ou la mention appropriée) à/au (lieu).

(Si le jugement ordonne la mise en possession du bien hypothéqué, ajouter :)

2. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) restitue au demandeur le bien hypothéqué ou la partie de ce bien qu'il possède, ou se conforme aux directives de ce dernier.

(Si le jugement ordonne le paiement de la dette hypothécaire et que le greffier doit établir l'état des comptes, ajouter les deux dispositions suivantes :)

3. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse sans délai au demandeur la somme de ..... \$, qui constitue le montant dû à ce jour au demandeur à titre de principal, d'intérêts et de dépens, et que lors du paiement du montant dû au demandeur avant que n'ait lieu la vente, celui-ci cède le bien hypothéqué au défendeur ou se conforme aux directives de ce dernier, aux termes de l'article 2 de la Loi sur les hypothèques, et remette tous les documents qui se rapportent au bien hypothéqué.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux annuel de ..... pour cent (taux demandé dans la déclaration) à partir de la date à laquelle il est rendu.

(Si le jugement ordonne le paiement de la dette hypothécaire et que le demandeur veut faire établir l'état des comptes lors du renvoi ou que le greffier renvoie la reddition des comptes, remplacer par les deux dispositions suivantes :)

3. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse au demandeur, dès la confirmation du rapport sur le renvoi, le montant dû à titre de principal, d'intérêts et de dépens arrêté conformément au rapport, et que lors du paiement du montant dû au demandeur avant que n'ait lieu la vente, celui-ci cède le bien hypothéqué au défendeur ou se conforme aux directives de ce dernier, aux termes de l'article 2 de la Loi sur les hypothèques, et remette tous les documents qui se rapportent au bien hypothéqué.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux précisé dans le rapport sur le renvoi à partir de la date de confirmation du rapport.

date .....	signature .....
	greffier local
	adresse du greffe .....

(La description du bien hypothéqué dans l'annexe ci-jointe doit être la même que celle qui se trouve dans la déclaration.)



## FORM 64H

DEFAULT JUDGMENT FOR IMMEDIATE SALE  
(ACTION CONVERTED FROM FORECLOSURE TO SALE)

(General heading)

(Court seal)

## JUDGMENT

On reading the statement of claim in this action and the proof of service of the statement of claim on the defendant(s), filed, the defendant (name) having served and filed a request for sale, the defendant(s) having been noted in default and no request to redeem having been served and filed (or a request to redeem having been served and filed by the defendant (name of subsequent encumbrancer)),

1. IT IS ORDERED AND ADJUDGED that all necessary inquiries be made, accounts taken, costs fixed or assessed and steps taken for the immediate sale of the mortgaged property described in the attached schedule without a redemption period, and that for these purposes this action be referred to the master (or as may be) at (place).

2. IT IS ORDERED AND ADJUDGED that the purchasers pay the purchase money into court to the credit of this action and that the purchase money be applied in payment of what is found due to the plaintiff, together with subsequent interest and subsequent costs to be computed and fixed or assessed by the master (or as may be) and that the master (or as may be) also determine those parties or persons entitled to the balance of the money and the amounts to which they are entitled.

(Where judgment is for possession, add:)

3. IT IS ORDERED AND ADJUDGED that the defendant (name) forthwith deliver to the plaintiff or as the plaintiff directs possession of the mortgaged property, or of such part of it as is in the possession of the defendant.

*(Where judgment is for payment of the mortgage debt and the registrar is to take the account, add the following two paragraphs:)*

4. IT IS ORDERED AND ADJUDGED that the defendant (name) forthwith pay to the plaintiff the sum of \$....., being the amount due to the plaintiff today for principal, interest and costs; and that on payment of the amount due to the plaintiff before the sale takes place, the plaintiff convey the mortgaged property to the defendant or as the defendant directs, in accordance with section 2 of the *Mortgages Act*, and deliver up all documents relating to the mortgaged property.

THIS JUDGMENT BEARS INTEREST at the rate of (rate claimed in the statement of claim) per cent per year from its date.

*(Where judgment is for payment of the mortgage debt and the plaintiff wishes the account to be taken on the reference or the registrar refers the taking of account, substitute the following two paragraphs:)*

4. IT IS ORDERED AND ADJUDGED that the defendant (name) pay to the plaintiff, forthwith after the confirmation of the report on the reference, the amount found due for principal, interest and costs in accordance with the report, and on payment of the amount due to the plaintiff before the sale takes place, the plaintiff convey the mortgaged property to the defendant or as the defendant direct, in accordance with section 2 of the *Mortgages Act*, and deliver up all documents relating to the mortgaged property.

THIS JUDGMENT BEARS INTEREST at the rate set out in the report on the reference from the date of confirmation of the report.

Date:

Signed by \_\_\_\_\_

Local registrar

Address of

court office: \_\_\_\_\_

(The description of the mortgaged property in the attached schedule must be the same as in the statement of claim.)



## FORMULE 64H

JUGEMENT DE VENTE IMMÉDIATE PAR DÉFAUT  
(TRANSFORMATION DE LA FORCLUSION EN VENTE)

(titre)

(sceau de la cour)

## JUGEMENT

Après avoir lu la déclaration dans la présente action et la preuve de sa signification au(x) défendeur(s), qui ont été déposées, et attendu que le défendeur (nom) a signifié et déposé une demande de vente, que le défaut du (des) défendeur(s) a été constaté et qu'aucune demande de rachat n'a été signifiée ni déposée (ou que le défendeur (nom du titulaire postérieur d'une sûreté) a signifié et déposé une demande de rachat),

1. IL EST ORDONNÉ ET JUGÉ que soient menées les enquêtes nécessaires, que soit établi l'état des comptes, que soient fixés ou liquidés les dépens et que soient prises des mesures en vue de la vente immédiate du bien hypothéqué décrit dans l'annexe ci-jointe sans délai de rachat et, qu'à ces fins, l'action soit renvoyée au protonotaire (ou la mention appropriée) à/au (lieu).

2. IL EST ORDONNÉ ET JUGÉ que les acheteurs consignent le prix d'achat au tribunal au crédit de la présente action et que le prix d'achat soit affecté au paiement de la somme due au demandeur, avec les intérêts postérieurs et les dépens postérieurs tels qu'ils sont calculés et fixés ou liquidés par le protonotaire (ou la mention appropriée), et que le protonotaire (ou la mention appropriée) détermine également les parties ou les personnes qui sont fondées à recevoir le solde du prix d'achat et établisse les montants auxquels elles ont droit.

(Si le jugement ordonne la mise en possession du bien hypothéqué, ajouter :)

3. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) restitue sans délai au demandeur le bien hypothéqué ou la partie de ce bien qu'il possède, ou se conforme aux directives de ce dernier.

(Si le jugement ordonne le paiement de la dette hypothécaire et que le greffier doit établir l'état des comptes, ajouter les deux dispositions suivantes :)

4. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse sans délai au demandeur la somme de ..... \$, qui constitue le montant dû à ce jour au demandeur à titre de principal, d'intérêts et de dépens, et que lors du paiement du montant dû au demandeur avant que n'ait lieu la vente, celui-ci cède le bien hypothéqué au défendeur ou se conforme aux directives de ce dernier, aux termes de l'article 2 de la Loi sur les hypothèques, et remette tous les documents qui se rapportent au bien hypothéqué.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux annuel de ..... pour cent (taux demandé dans la déclaration) à partir de la date à laquelle il est rendu.

(Si le jugement ordonne le paiement de la dette hypothécaire et que le demandeur veut faire établir l'état des comptes lors du renvoi ou que le greffier renvoie la reddition des comptes, remplacer par les deux dispositions suivantes :)

4. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse au demandeur, dès la confirmation du rapport sur le renvoi, le montant dû à titre de principal, d'intérêts et de dépens arrêté conformément au rapport, et que lors du paiement du montant dû au demandeur avant que n'ait lieu la vente, celui-ci cède le bien hypothéqué au défendeur ou se conforme aux directives de ce dernier, aux termes de l'article 2 de la Loi sur les hypothèques, et remette tous les documents qui se rapportent au bien hypothéqué.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux précisé dans le rapport sur le renvoi à partir de la date de confirmation du rapport.

date ..... signature .....  
greffier local  
adresse du .....  
greffe .....

(La description du bien hypothéqué dans l'annexe ci-jointe doit être la même que celle qui se trouve dans la déclaration.)

## FORM 64I

DEFAULT JUDGMENT FOR SALE CONDITIONAL ON PROOF OF CLAIM  
(ACTION CONVERTED FROM FORECLOSURE TO SALE)

(General heading)

(Court seal)

## JUDGMENT

On reading the statement of claim in this action and the proof of service of the statement of claim on the defendant(s), filed, no request to redeem having been served and filed (or the defendant (name) having served and filed a request to redeem), the defendant(s) having been noted in default, and the defendant (name of subsequent encumbrancer) having served and filed a request for sale and having paid into court the sum of \$250 as security for costs,

1. IT IS ORDERED AND ADJUDGED that all necessary inquiries be made, accounts taken, costs fixed or assessed and steps taken for redemption or sale of the mortgaged property described in the attached schedule and that for these purposes this action be referred to the master (or as may be) at (place).

2. IT IS ORDERED AND ADJUDGED that, if the defendant (name of subsequent encumbrancer) fails to prove a claim on the reference for sale, the master (or as may be) shall proceed as on a reference for redemption or foreclosure.

(Where judgment is for possession, add:)

3. IT IS ORDERED AND ADJUDGED that the defendant (name) deliver to the plaintiff or as the plaintiff directs possession of the mortgaged property or of such part of it as is in the possession of the defendant.



*(Where judgment is for payment of the mortgage debt and the registrar is to take the account, add the following two paragraphs:)*

4. IT IS ORDERED AND ADJUDGED that the defendant (name) forthwith pay to the plaintiff the sum of \$....., being the amount due to the plaintiff today for principal, interest and costs; and that on payment of the amount due to the plaintiff, the plaintiff convey the mortgaged property to the defendant or as the defendant directs, in accordance with section 2 of the *Mortgages Act*, and deliver up all documents relating to the mortgaged property.

THIS JUDGMENT BEARS INTEREST at the rate of (rate claimed in the statement of claim) per cent per year from its date.

*(Where judgment is for payment of the mortgage debt and the plaintiff wishes the account to be taken on the reference or the registrar refers the taking of the account, substitute the following two paragraphs:)*

4. IT IS ORDERED AND ADJUDGED that the defendant (name) pay to the plaintiff, forthwith after confirmation of the report on the reference, the amount found due for principal, interest and costs in accordance with the report, and on payment of the amount due to the plaintiff before the sale takes place, the plaintiff convey the mortgaged property to the defendant or as the defendant directs, in accordance with section 2 of the *Mortgages Act*, and deliver up all documents relating to the mortgaged property.

THIS JUDGMENT BEARS INTEREST at the rate set out in the report on the reference from the date of confirmation of the report.

Date:

Signed by \_\_\_\_\_  
Local registrar

Address of \_\_\_\_\_  
court office: \_\_\_\_\_  
\_\_\_\_\_

*(The description of the mortgaged property in the attached schedule must be the same as in the statement of claim.)*

## FORMULE 64I

JUGEMENT DE VENTE PAR DÉFAUT SUBORDONNÉ  
À LA PREUVE DU BIEN-FONDÉ DE LA DEMANDE  
(TRANSFORMATION DE LA FORCLUSION EN VENTE)

(titre)

(sceau de la cour)

## JUGEMENT

Après avoir lu la déclaration dans la présente action et la preuve de sa signification au(x) défendeur(s), qui ont été déposées, et attendu qu'aucune demande de rachat n'a été signifiée ni déposée (ou que le défendeur (nom) a signifié et déposé une demande de rachat), que le défaut du (des) défendeur(s) a été constaté et que le défendeur (nom du titulaire postérieur d'une sûreté) a signifié et déposé une demande de vente et consigné au tribunal la somme de 250 \$ à titre de cautionnement pour les dépens,

1. IL EST ORDONNÉ ET JUGÉ que soient menées les enquêtes nécessaires, que soit établi l'état des comptes, que soient fixés ou liquidés les dépens et que soient prises des mesures en vue du rachat ou de la vente du bien hypothéqué décrit dans l'annexe ci-jointe et, qu'à ces fins, l'action soit renvoyée au protonotaire (ou la mention appropriée) à/au (lieu).

2. IL EST ORDONNÉ ET JUGÉ que si le défendeur (nom du titulaire postérieur d'une sûreté) n'établit pas le bien-fondé de sa demande lors du renvoi pour la vente, le protonotaire (ou la mention appropriée) procède selon le mode prévu dans le cas d'un renvoi pour rachat ou forclusion.

(Si le jugement ordonne la mise en possession du bien hypothéqué, ajouter :)

3. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) restitue au demandeur le bien hypothéqué ou la partie de ce bien qu'il possède, ou se conforme aux directives de ce dernier.

(Si le jugement ordonne le paiement de la dette hypothécaire et que le greffier doit établir l'état des comptes, ajouter les deux dispositions suivantes :)

4. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse sans délai au demandeur la somme de ..... \$, qui constitue le montant dû à ce jour au demandeur à titre de principal, d'intérêts et de dépens, et que lors du paiement du montant dû au demandeur, celui-ci cède le bien hypothéqué au défendeur ou se conforme aux directives de ce dernier, aux termes de l'article 2 de la Loi sur les hypothèques, et remette tous les documents qui se rapportent au bien hypothéqué.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux annuel de ..... pour cent (taux demandé dans la déclaration) à partir de la date à laquelle il est rendu.

(Si le jugement ordonne le paiement de la dette hypothécaire et que le demandeur veut faire établir l'état des comptes lors du renvoi ou que le greffier renvoie la reddition des comptes, remplacer par les deux dispositions suivantes :)

4. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse au demandeur, dès la confirmation du rapport sur le renvoi, le montant dû à titre de principal, d'intérêts et de dépens arrêté conformément au rapport, et que lors du paiement du montant dû au demandeur avant que n'ait lieu la vente, celui-ci cède le bien hypothéqué au défendeur ou se conforme aux directives de ce dernier, aux termes de l'article 2 de la Loi sur les hypothèques, et remette tous les documents qui se rapportent au bien hypothéqué.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux précisé dans le rapport sur le renvoi à partir de la date de confirmation du rapport.

date .....	signature .....
	greffier local
	adresse du greffe .....
	.....

(La description du bien hypothéqué dans l'annexe ci-jointe doit être la même que celle qui se trouve dans la déclaration.)



## FORM 64J

## DEFAULT JUDGMENT FOR IMMEDIATE SALE

(General heading)

(Court seal)

## JUDGMENT

On reading the statement of claim in this action and the proof of service of the statement of claim on the defendant(s), filed, no request to redeem having been served and filed and the defendant(s) having been noted in default,

1. IT IS ORDERED AND ADJUDGED that all necessary inquiries be made, accounts taken, costs fixed or assessed and steps taken for the immediate sale of the mortgaged property described in the attached schedule without a redemption period, and that for these purposes this action be referred to the master (or as may be) at (place).

2. IT IS ORDERED AND ADJUDGED that the purchasers pay the purchase money into court to the credit of this action and that the purchase money be applied in payment of what is found due to the plaintiff, together with subsequent interest and subsequent costs to be computed and fixed or assessed by the master (or as may be) and that the master (or as may be) also determine those parties or persons entitled to the balance of the money and the amounts to which they are entitled.

(Where judgment is for possession, add:)

3. IT IS ORDERED AND ADJUDGED that the defendant (name) forthwith deliver to the plaintiff or as the plaintiff directs possession of the mortgaged property, or of such part of it as is in the possession of the defendant.

(Where judgment is for payment of the mortgage debt and the registrar is to take the account, add the following two paragraphs:)

4. IT IS ORDERED AND ADJUDGED that the defendant (name) forthwith pay to the plaintiff the sum of \$....., being the amount due to the plaintiff today for principal, interest and costs, and that on payment of the amount due to the plaintiff before the sale takes place, the plaintiff convey the mortgaged property to the defendant or as the defendant directs, in accordance with section 2 of the *Mortgages Act*, and deliver up all documents relating to the mortgaged property.

THIS JUDGMENT BEARS INTEREST at the rate of (rate claimed in statement of claim) per cent per year from its date.

(Where judgment is for payment of the mortgage debt and the plaintiff wishes the account to be taken on the reference or the registrar refers the taking of the account, substitute the following two paragraphs:)

4. IT IS ORDERED AND ADJUDGED that the defendant (name) pay to the plaintiff, forthwith after the confirmation of the report on the reference, the amount found due for principal, interest and costs in accordance with the report, and on payment of the amount due to the plaintiff before the sale takes place, the plaintiff convey the mortgaged property to the defendant or as the defendant directs, in accordance with section 2 of the *Mortgages Act*, and deliver up all documents relating to the mortgaged property.

THIS JUDGMENT BEARS INTEREST at the rate set out in the report on the reference from the date of confirmation of the report.

Date:

Signed by \_\_\_\_\_

Local registrar

Address of  
court office: \_\_\_\_\_

(The description of the mortgaged property in the attached schedule must be the same as in the statement of claim.)

## FORMULE 64J

## JUGEMENT DE VENTE IMMÉDIATE PAR DÉFAUT

(titre)

(sceau de la cour)

## JUGEMENT

Après avoir lu la déclaration dans la présente action et la preuve de sa signification au(x) défendeur(s), qui ont été déposées, et attendu qu'aucune demande de rachat n'a été signifiée ni déposée et que le défaut du (des) défendeurs a été constaté,

1. IL EST ORDONNÉ ET JUGÉ que soient menées les enquêtes nécessaires, que soit établi l'état des comptes, que soient fixés ou liquidés les dépens et que soient prises des mesures en vue de la vente immédiate du bien hypothéqué décrit dans l'annexe ci-jointe sans délai de rachat et, qu'à ces fins, l'action soit renvoyée au protonotaire (ou la mention appropriée) à/au (lieu).

2. IL EST ORDONNÉ ET JUGÉ que les acheteurs consignent le prix d'achat au tribunal au crédit de la présente action et que le prix d'achat soit affecté au paiement de la somme due au demandeur, avec les intérêts postérieurs et les dépens postérieurs tels qu'ils sont calculés et fixés ou liquidés par le protonotaire (ou la mention appropriée), et que le protonotaire (ou la mention appropriée) détermine également les parties ou les personnes qui sont fondées à recevoir le solde du prix d'achat et établisse les montants auxquels elles ont droit.

(Si le jugement ordonne la mise en possession du bien hypothéqué, ajouter :)

3. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) restitue sans délai au demandeur le bien hypothéqué ou la partie de ce bien qu'il possède, ou se conforme aux directives de ce dernier.



(Si le jugement ordonne le paiement de la dette hypothécaire et que le greffier doit établir l'état des comptes, ajouter les deux dispositions suivantes :)

4. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse sans délai au demandeur la somme de ..... \$, qui constitue le montant dû à ce jour au demandeur à titre de principal, d'intérêts et de dépens, et que lors du paiement du montant dû au demandeur avant que n'ait lieu la vente, celui-ci cède le bien hypothéqué au défendeur ou se conforme aux directives de ce dernier, aux termes de l'article 2 de la Loi sur les hypothèques, et remette tous les documents qui se rapportent au bien hypothéqué.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux annuel de ..... pour cent (taux demandé dans la déclaration) à partir de la date à laquelle il est rendu.

(Si le jugement ordonne le paiement de la dette hypothécaire et que le demandeur veut faire établir l'état des comptes lors du renvoi ou que le greffier renvoie la reddition des comptes, remplacer par les deux dispositions suivantes :)

4. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse au demandeur, dès la confirmation du rapport sur le renvoi, le montant dû à titre de principal, d'intérêts et de dépens arrêté conformément au rapport, et que lors du paiement du montant dû au demandeur avant que n'ait lieu la vente, celui-ci cède le bien hypothéqué au défendeur ou se conforme aux directives de ce dernier, aux termes de l'article 2 de la Loi sur les hypothèques, et remette tous les documents qui se rapportent au bien hypothéqué.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux précisé dans le rapport sur le renvoi à partir de la date de confirmation du rapport.

date .....	signature .....	greffier local
	adresse du greffe .....	
	.....	

(La description du bien hypothéqué dans l'annexe ci-jointe doit être la même que celle qui se trouve dans la déclaration.)

## FORM 64K

## DEFAULT JUDGMENT FOR SALE WITH A REDEMPTION PERIOD

(General heading)

(Court seal)

## JUDGMENT

On reading the statement of claim in this action and the proof of service of the statement of claim on the defendant(s), filed, the defendant(s) having been noted in default and the defendant (name) having served and filed a request to redeem,

1. IT IS ORDERED AND ADJUDGED that all necessary inquiries be made, accounts taken, costs fixed or assessed and steps taken for redemption or sale of the mortgaged property described in the attached schedule, and that for these purposes this action be referred to the master (or as may be) at (place).

(Where judgment is for possession, add:)

2. IT IS ORDERED AND ADJUDGED that the defendant (name) deliver to the plaintiff or as the plaintiff directs possession of the mortgaged property or of such part of it as is in the possession of the defendant.

(Where judgment is for payment of the mortgage debt and the registrar is to take the account, add the following two paragraphs:)

3. IT IS ORDERED AND ADJUDGED that the defendant (name) forthwith pay to the plaintiff the sum of \$....., being the amount due to the plaintiff today for principal, interest and costs; and on payment of the amount due to the plaintiff before the sale takes place, the plaintiff convey the mortgaged property to the defendant(s) or as the defendant directs, in accordance with section 2 of the Mortgages Act, and deliver up all documents relating to the mortgaged property.

THIS JUDGMENT BEARS INTEREST at the rate of (rate claimed in statement of claim) per cent per year from its date.

(Where judgment is for payment of the mortgage debt and the plaintiff wishes the account to be taken on the reference or the registrar refers the taking of the account, substitute the following two paragraphs:)

3. IT IS ORDERED AND ADJUDGED that the defendant (name) pay to the plaintiff(s), forthwith after confirmation of the report on the reference, the amount found due for principal, interest and costs in accordance with the report; and that on payment of the amount due to the plaintiff before the sale takes place, the plaintiff convey the mortgaged property to the defendant or as the defendant directs, in accordance with section 2 of the *Mortgages Act*, and deliver up all documents relating to the mortgaged property.

THIS JUDGMENT BEARS INTEREST at the rate set out in the report on the reference from the date of confirmation of the report.

Date:

Signed by \_\_\_\_\_

Local registrar

Address of  
court office: \_\_\_\_\_

(The description of the mortgaged property in the attached schedule must be the same as in the statement of claim.)



## FORMULE 64K

## JUGEMENT DE VENTE PAR DÉFAUT AVEC DÉLAI DE RACHAT

(titre)

(sceau de la cour)

## JUGEMENT

Après avoir lu la déclaration dans la présente action et la preuve de sa signification au(x) défendeur(s), qui ont été déposées, et attendu que le défaut du (des) défendeur(s) a été constaté et que le défendeur (nom) a signifié et déposé une demande de rachat,

1. IL EST ORDONNÉ ET JUGÉ que soient menées les enquêtes nécessaires, que soit établi l'état des comptes, que soient fixés ou liquidés les dépens et que soient prises des mesures en vue du rachat ou de la vente du bien hypothéqué décrit dans l'annexe ci-jointe et, qu'à ces fins, l'action soit renvoyée au protonotaire (ou la mention appropriée) à/au (lieu).

(Si le jugement ordonne la mise en possession du bien hypothéqué, ajouter :)

2. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) restitue au demandeur le bien hypothéqué ou la partie de ce bien qu'il possède, ou se conforme aux directives de ce dernier.

(Si le jugement ordonne le paiement de la dette hypothécaire et que le greffier doit établir l'état des comptes, ajouter les deux dispositions suivantes :)

3. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse sans délai au demandeur la somme de ..... \$, qui constitue le montant dû à ce jour au demandeur à titre de principal, d'intérêts et de dépens, et que lors du paiement du montant dû au demandeur avant que n'ait lieu la vente, celui-ci cède le bien hypothéqué au défendeur ou se conforme aux directives de ce dernier, aux termes de l'article 2 de la Loi sur les hypothèques, et remette tous les documents qui se rapportent au bien hypothéqué.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux annuel de ..... pour cent (taux demandé dans la déclaration) à partir de la date à laquelle il est rendu.

(Si le jugement ordonne le paiement de la dette hypothécaire et que le demandeur veut faire établir l'état des comptes lors du renvoi ou que le greffier renvoie la reddition des comptes, remplacer par les deux dispositions suivantes :)

3. IL EST ORDONNÉ ET JUGÉ que le défendeur (nom) verse au demandeur, dès la confirmation du rapport sur le renvoi, le montant dû à titre de principal, d'intérêts et de dépens arrêté conformément au rapport, et que lors du paiement du montant dû au demandeur avant que n'ait lieu la vente, celui-ci cède le bien hypothéqué au défendeur ou se conforme aux directives de ce dernier, aux termes de l'article 2 de Loi sur les hypothèques, et remette tous les documents qui se rapportent au bien hypothéqué.

LE PRÉSENT JUGEMENT PORTE INTÉRÊT au taux précisé dans le rapport sur le renvoi à partir de la date de confirmation du rapport.

date .....	signature .....	greffier local
	adresse du greffe .....	
	.....	

(La description du bien hypothéqué dans l'annexe ci-jointe doit être la même que celle qui se trouve dans la déclaration.)

6. This Regulation comes into force on September 6, 1996.

6. Le présent règlement entre en vigueur le 6 septembre 1996.

**ONTARIO REGULATION 334/96**made under the  
**JURIES ACT**Made: July 17, 1996  
Filed: July 18, 1996Amending Reg. 680 of R.R.O. 1990  
(General)

Note: Regulation 680 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Regulation 680 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:**

**10. The following areas are established as jury areas:**

1. The Timmins Jury Area, consisting of that part of Dundonald Township that is within the municipal boundary of the City of Timmins, those parts of Walker Township and Benoit Township that are within the Municipality of Black River-Matheson, as well as all of the following townships: Adams; Beatty; Black; Blackstock; Bond; Bowman; Bristol; Byers, Cote; Carman; Carr; Carscallen; Cody; Cook; Cowan; Currie; Deloro; Denton; Egan; Eldorado; Evelyn; Flayfair; German; Godfrey; Hislop; Hoyle; Jamieson; Jessop; Keefer; Kidd; Langmuir; Loveland; MacDiarmid; Macklem; Massey; Matheson; McCann; McEvay; Melba; Mountjoy; Murphy; Ogden; Price; Robb; Shaw; Sheraton; Stock; Taylor; Thomas; Thorneloe; Timmins; Tisdale; Tolstoi; Turnbull; Wark; Whitesides; Whitney.
2. The Cochrane Jury Area, consisting of all territory in the District of Cochrane other than the territory described in paragraph 1.

31/96

**ONTARIO REGULATION 335/96**  
made under the  
**PROFESSIONAL ENGINEERS ACT**Made: July 15, 1996  
Approved: July 17, 1996  
Filed: July 18, 1996Amending Reg. 941 of R.R.O. 1990  
(General)

Note: Regulation 941 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. (1) Clause 33 (1) (b) of Regulation 941 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

- (b) demonstrate that he or she has had, following the conferring of a degree or the completion of equivalent engineering education, experience in the practice of professional engineering that will provide sufficient experience to enable the applicant to meet the generally accepted standards of practical skill required to engage in the practice of professional engineering, as follows:

- (i) 24 months in respect of applications received before July 31, 1996,

- (ii) 36 months in respect of applications received on or after July 31, 1996 and before July 1, 1998,

- (iii) 48 months in respect of applications received on or after July 1, 1998; and

**(2) Section 33 of the Regulation is amended by adding the following subsection:**

(1.1) If an applicant applies for a licence before having received the degree mentioned in subclause (1) (a) (i) and the application is received before July 31, 1996, the length of practical experience to be demonstrated under clause (1) (b) is 24 months so long as the applicant receives the degree at a convocation held at any time in 1996 and provides proof of that fact as soon as possible thereafter.

**2. This Regulation comes into force on July 30, 1996.**

COUNCIL OF THE ASSOCIATION OF  
PROFESSIONAL ENGINEERS OF ONTARIO:P. W. RIDOUT  
*President*JOHN CURRIE  
*Registrar*

Dated at Toronto on July 15, 1996.

31/96

**ONTARIO REGULATION 336/96**  
made under the  
**ONTARIO DRUG BENEFIT ACT**Made: July 17, 1996  
Filed: July 18, 1996Amending O. Reg. 201/96  
(General)

Note: Ontario Regulation 201/96 has not been previously amended.

**1. The definition of "Formulary" in section 1 of Ontario Regulation 201/96 is revoked and the following substituted:**

"Formulary" means the Ministry of Health publication titled "Drug Benefit Formulary/Comparative Drug Index (No. 35)" dated May 27, 1996 as most recently amended on July 19, 1996;

**2. (1) Subparagraph 1 of paragraph 1 of subsection 3 (4) of the Regulation is revoked and the following substituted:**

- i. A listed drug product, subject to subsection (4.1).

**(2) Section 3 of the Regulation is amended by adding the following subsection:**

(4.1) A listed drug product for which clinical criteria are specified under section 23 of the Act shall not be an allowable expense unless the product is supplied in circumstances that meet the clinical criteria.

**3. Schedule 1 to the Regulation is revoked and the following substituted:**



## Schedule 1

1. Beta-interferon (Betaseron)
2. Cyclosporine (Sandimmune)
3. Cyclosporine (Neoral)
4. Deferoxamine (Desferal)
5. Dornase alfa (Pulmozyme)
6. Erythropoietin (Eprex)
7. Filgrastim (Neupogen)
8. Interferon Alfa-2A (Roferon-A)
9. Interferon Alfa-2B (Intron A)
10. Interferon Alfa-N1 (INS) (Wellferon)
11. Mycophenolate mofetil (Cellcept)
12. Octreotide (Sandostatin)
13. Tacrolimus (Prograf)
14. Trientine (Syprine)

4. Schedule 4 to the Regulation is revoked and the following substituted:

## Schedule 4

Product Name DIN	Form	Manufacturer	DBP
<b>Sandostation</b> (octreotide)			
00839191	50mcg/ml	Sandoz	4.99
00839205	100mcg/ml		9.42
00839213	500mcg/ml		44.27
<b>Neupogen</b> (filgrastim)			
01968017	300mcg/1 ml vial	Amgen	131.80
01968017	480mcg/1.6ml vial		210.80

5. This Regulation comes into force on July 19, 1996.

31/96

**ONTARIO REGULATION 337/96**  
made under the  
**DRUG INTERCHANGEABILITY  
AND DISPENSING FEE ACT**

Made: July 17, 1996  
Filed: July 18, 1996

Amending Reg. 935 of R.R.O.  
(General)

Note: Since January 1, 1996, Regulation 935 has been amended by Ontario Regulations 18/96, 177/96 and 204/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. The definition of "Formulary" in section 1 of Regulation 935 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

"Formulary" means the Ministry of Health publication titled "Drug Benefit Formulary/Comparative Drug Index (No. 35)" dated May 27, 1996 as most recently amended on July 19, 1996;

**2. This Regulation comes into force on July 19, 1996.**

31/96

**ONTARIO REGULATION 338/96**  
made under the  
**HEALTH PROTECTION AND PROMOTION ACT**

Made: July 17, 1996  
Filed: July 18, 1996

**EXEMPTION—SUBSECTION 39 (1) OF THE ACT**

**1. Subsection 39 (1) of the Act does not apply to disclosure by a physician or a medical officer of health to the Canadian Red Cross Society if,**

(a) there are reasonable grounds to believe that the person who is the subject of the disclosure has received a blood transfusion or a blood product from the Canadian Red Cross Society or has donated blood to the Canadian Red Cross Society; and

(b) the application, order, certificate or report concerns,

(i) Acquired Immune Deficiency Syndrome (AIDS),

(ii) Human Immunodeficiency Virus (HIV), the agent of AIDS,  
or

(iii) Hepatitis C.

31/96

**ONTARIO REGULATION 339/96**  
made under the  
**HEALTH INSURANCE ACT**

Made: July 17, 1996  
Filed: July 18, 1996

Amending Reg. 552 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 552 has been amended by Ontario Regulations 111/96, 112/96, 114/96, 172/96 and 173/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:**

**26.1** Services rendered by a podiatrist or by a chiropractor are prescribed for the purposes of clause 14 (1) (c) of the Act.

**2. This Regulation comes into force on August 1, 1996.**

31/96

**ONTARIO REGULATION 340/96**  
made under the  
**NURSING HOMES ACT**

Made: July 17, 1996  
Filed: July 18, 1996

Amending Reg. 832 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 832 has been amended by Ontario Regulations 219/96 and 222/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 1 of Regulation 832 of the Revised Regulations of Ontario, 1990 is amended by adding the following definitions:**

"red-circled", in relation to a year, means determined to be red-circled in accordance with the subsidy calculation worksheet for the year;

"subsidy calculation worksheet", in relation to a year, means the documents published by the Ministry of Health that are set out opposite the year in Table 1;

**2. Subsection 47 (3) of the Regulation is revoked.**

**3. Subsections 56 (1) and (2) of the Regulation are revoked.**

**4. Subsections 60 (4), (5) and (6) of the Regulation are revoked and the following substituted:**

(4) A licensee of a nursing home shall ensure that when no registered nurse is on duty in the home, a registered nurse who is a member of the regular nursing staff of the home is on call and available to come on duty should the need arise.

(5) During the hours that a director of nurses works in his or her capacity as director of nurses, he or she shall not be considered to be a registered nurse on duty in the home or a registered nurse on call for the purpose of subsection (4).

(6) A licensee of a nursing home shall ensure that there is a sufficient number of registered nurses, registered practical nurses and health care

aides on duty in the home at all times to provide the nursing care required by the residents of the home.

**5. The heading immediately preceding section 106 of the Regulation is revoked and the following substituted:**

#### CLASSIFICATION

**6. Sections 107, 108, 109, 110 and 111 of the Regulation are revoked and the following substituted:**

#### PAYMENTS UNDER SUBSECTION 20.13 (1) OF THE ACT

**107. (1)** For 1996 and following years, the amount payable to a licensee in respect of a nursing home under subsection 20.13 (1) of the Act for a particular year shall be determined in accordance with,

- (a) the subsidy calculation worksheet for the year;
- (b) the semi-annual reports required to be given to the Minister under section 112 in respect of the year; and
- (c) the year-end report and auditor's report required to be given to the Minister under section 113 in respect of the year.

(2) The amount payable to a licensee in respect of a nursing home for a particular year pursuant to the subsidy calculation worksheet for the year shall be paid in monthly instalments or in such other instalments as the licensee and the Crown in right of Ontario agree to in the service agreement relating to the home.

**7. Section 112 of the Regulation is revoked and the following substituted:**

**112. (1)** Forthwith after the first six months and the last six months of each year, a licensee who maintained and operated a nursing home during the year shall give to the Minister a semi-annual report for the home.

(2) The semi-annual report shall be made on and in accordance with the form published by the Ministry of Health titled "Long-Term Care Facility Semi-Annual Report" and dated May 20, 1996.

(3) If the amount paid to a licensee in respect of a nursing home for the first six months of a year pursuant to the subsidy calculation worksheet for the year exceeds the estimated provincial subsidy for the six-month period, as determined in accordance with the semi-annual report for the period, the Minister may deduct the excess from subsequent payments to the licensee.

(4) The first six-month period to which this section applies is the six-month period ending June 30, 1996.

**8. (1) Subsection 113 (1) of the Regulation is amended by inserting "nursing" before "home" in the second line.**

(2) Subsection 113 (2) of the Regulation is revoked.

**(3) Section 113 of the Regulation is amended by adding the following subsection:**

(2.2) For the year ending December 31, 1995,

(a) the year-end report shall be made on and in accordance with the form published by the Ministry of Health titled "Long-Term Care Facility Annual Report" and dated May 20, 1996; and

(b) the auditor's report on the year-end report shall be made in accordance with the instructions on the form referred to in clause (a).

(4) Subsection 113 (3) of the Regulation is amended by striking out "under subsection 20.13 (1) of the Act" in the first and second lines and substituting "for a particular year pursuant to the subsidy calculation worksheet for the year".

(5) Subsection 113 (4) of the Regulation is amended by striking out "under subsection 20.13 (1) of the Act" in the first and second lines and substituting "for a particular year pursuant to the subsidy calculation worksheet for the year".

**9. Tables 1, 2, 4 and 5 of the Regulation are revoked and the following substituted:**

TABLE 1

ITEM	COLUMN 1	COLUMN 2
	Year	Documents
1.	1993 and 1994	The document titled "Long-Term Care Facility Subsidy Calculation Worksheet—Nursing Homes" and dated July 6, 1994.
2.	1995	The document titled "Long-Term Care Facility Subsidy Calculation Worksheet" and dated March 20, 1995.
3.	1996 and following years	The documents titled "Long-Term Care Facility Subsidy Calculation Worksheet", "Long-Term Care Facility Subsidy Calculation Worksheet - Appendix 1", "Long-Term Care Facility Subsidy Calculation Worksheet - Appendix 2" and "Long-Term Care Facility Subsidy Calculation Worksheet - Appendix 3", each dated May 20, 1996.

**10. (1) Despite its revocation by section 2, subsection 47 (3) of the Regulation, as it read immediately before its revocation, continues to apply in respect of days before April 1, 1995.**

**(2) Despite its revocation by section 7, subsection 112 (4) of the Regulation, as it read immediately before its revocation, continues to apply in respect of periods ending on or before December 31, 1995.**

**11. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.**

**(2) Sections 1, 2, 3, 5, 6 and 9 and subsection 10 (1) shall be deemed to have come into force on June 1, 1996.**



ONTARIO REGULATION 341/96  
made under the  
CHARITABLE INSTITUTIONS ACT

Made: July 17, 1996  
Filed: July 18, 1996

Amending Reg. 69 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 69 has been amended by Ontario Regulations 220/96 and 229/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 1 of Regulation 69 of the Revised Regulations of Ontario, 1990 is amended by adding the following definitions:

"red-circled", in relation to a year, means determined to be red-circled in accordance with the subsidy calculation worksheet for the year;

"subsidy calculation worksheet", in relation to a year, means the documents published by the Ministry of Health that are set out opposite the year in Table 2;

2. The heading immediately preceding section 28 of the Regulation is revoked and the following substituted:

CLASSIFICATION

3. Sections 28.1, 28.2, 28.3 and 28.4 of the Regulation are revoked and the following substituted:

PAYMENTS UNDER SUBSECTION 9 (1) OF THE ACT

28.1 (1) For 1996 and following years, the amount payable to an approved corporation in respect of an approved charitable home for the aged under subsection 9 (1) of the Act for a particular year shall be determined in accordance with,

- (a) the subsidy calculation worksheet for the year;
- (b) the semi-annual reports required to be given to the Minister under section 28.5 in respect of the year; and
- (c) the year-end report and auditor's report required to be given to the Minister under section 28.6 in respect of the year.

(2) The amount payable to an approved corporation in respect of an approved charitable home for the aged for a particular year pursuant to the subsidy calculation worksheet for the year shall be paid in monthly instalments or in such other instalments as the approved corporation and the Crown in right of Ontario agree to in the service agreement relating to the home.

4. Section 28.5 of the Regulation is revoked and the following substituted:

28.5 (1) Forthwith after the first six months and the last six months of each year, an approved corporation that maintained and operated an approved charitable home for the aged during the year shall give to the Minister a semi-annual report for the home.

(2) The semi-annual report shall be made on and in accordance with the form published by the Ministry of Health titled "Long-Term Care Facility Semi-Annual Report" and dated May 20, 1996.

(3) If the amount paid to an approved corporation in respect of an approved charitable home for the aged for the first six months of a year pursuant to the subsidy calculation worksheet for the year exceeds the

estimated provincial subsidy for the six-month period, as determined in accordance with the semi-annual report for the period, the Minister may deduct the excess from subsequent payments to the approved corporation.

(4) The first six-month period to which this section applies is the six-month period ending June 30, 1996.

5. (1) Subsection 28.6 (2) of the Regulation is revoked.

(2) Section 28.6 of the Regulation is amended by adding the following subsection:

(2.2) For the year ending December 31, 1995,

- (a) the year-end report shall be made on and in accordance with the form published by the Ministry of Health titled "Long-Term Care Facility Annual Report" and dated May 20, 1996; and
- (b) the auditor's report on the year-end report shall be made in accordance with the instructions on the form referred to in clause (a).

(3) Subsection 28.6 (3) of the Regulation is amended by striking out "under subsection 9 (1) of the Act" in the second line and substituting "for a particular year pursuant to the subsidy calculation worksheet for the year".

(4) Subsection 28.6 (4) of the Regulation is amended by striking out "under subsection 9 (1) of the Act" in the second line and substituting "for a particular year pursuant to the subsidy calculation worksheet for the year".

6. Section 40 of the Regulation is revoked.

7. Subsection 47 (3) of the Regulation is revoked.

8. Tables 2, 3, 5 and 6 of the Regulation are revoked and the following substituted:

TABLE 2

ITEM	COLUMN 1	COLUMN 2
	Year	Documents
1.	1993 and 1994	The document titled "Long-Term Care Facility Subsidy Calculation Worksheet - Approved Charitable Homes for the Aged" and dated July 6, 1994.
2.	1995	The document titled "Long-Term Care Facility Subsidy Calculation Worksheet" and dated March 20, 1995.
3.	1996 and following years	The documents titled "Long-Term Care Facility Subsidy Calculation Worksheet", "Long-Term Care Facility Subsidy Calculation Worksheet - Appendix 1", "Long-Term Care Facility Subsidy Calculation Worksheet - Appendix 2" and "Long-Term Care Facility Subsidy Calculation Worksheet - Appendix 3", each dated May 20, 1996.

9. (1) Despite its revocation by section 4, subsection 28.5 (4) of the Regulation, as it read immediately before its revocation, continues to apply in respect of periods ending on or before December 31, 1995.

(2) Despite its revocation by section 7, subsection 47 (3) of the Regulation, as it read immediately before its revocation, continues to apply in respect of days before April 1, 1995.

10. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Sections 1, 2, 3, 6, 7 and 8 and subsection 9 (2) shall be deemed to have come into force on June 1, 1996.

31/96

**ONTARIO REGULATION 342/96**  
made under the  
**HOMES FOR THE AGED AND REST HOMES ACT**

Made: July 17, 1996

Filed: July 18, 1996

Amending Reg. 637 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 637 has been amended by Ontario Regulations 221/96 and 223/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 1 of Regulation 637 of the Revised Regulations of Ontario, 1990 is amended by adding the following definitions:

"red-circled", in relation to a year, means determined to be red-circled in accordance with the subsidy calculation worksheet for the year;

"subsidy calculation worksheet", in relation to a year, means the documents published by the Ministry of Health that are set out opposite the year in Table 1;

2. The heading immediately preceding section 32 of the Regulation is revoked and the following substituted:

CLASSIFICATION

3. Sections 33, 34, 35, 36 and 37 of the Regulation are revoked and the following substituted:

PAYMENTS UNDER SUBSECTION 28 (1) OF THE ACT

33. (1) For 1996 and following years, the amount payable in respect of a home under subsection 28 (1) of the Act for a particular year shall be determined in accordance with,

- (a) the subsidy calculation worksheet for the year;
- (b) the semi-annual reports required to be given to the Minister under section 38 in respect of the year; and
- (c) the year-end report and auditor's report required to be given to the Minister under section 39 in respect of the year.

(2) The amount payable in respect of a home for a particular year pursuant to the subsidy calculation worksheet for the year shall be paid in monthly instalments or in such other instalments as the parties to the

service agreement relating to the home agree to in the service agreement.

4. Section 38 of the Regulation is revoked and the following substituted:

38. (1) Forthwith after the first six months and the last six months of each year, the municipality, municipalities or board that maintained and operated a home during the year shall give to the Minister a semi-annual report for the home.

(2) The semi-annual report shall be made on and in accordance with the form published by the Ministry of Health titled "Long-Term Care Facility Semi-Annual Report" and dated May 20, 1996.

(3) If the amount paid in respect of a home for the first six months of a year pursuant to the subsidy calculation worksheet for the year exceeds the estimated provincial subsidy for the six-month period, as determined in accordance with the semi-annual report for the period, the Minister may deduct the excess from subsequent payments to the municipality, municipalities or board, as the case may be.

(4) The first six-month period to which this section applies is the six-month period ending June 30, 1996.

5. (1) Subsection 39 (2) of the Regulation is revoked.

(2) Section 39 of the Regulation is amended by adding the following subsection:

(2.2) For the year ending December 31, 1995,

- (a) the year-end report shall be made on and in accordance with the form published by the Ministry of Health titled "Long-Term Care Facility Annual Report" and dated May 20, 1996; and
- (b) the auditor's report on the year-end report shall be made in accordance with the instructions on the form referred to in clause (a).

(3) Subsection 39 (3) of the Regulation is amended by striking out "under subsection 28 (1) of the Act" in the first and second lines and substituting "for a particular year pursuant to the subsidy calculation worksheet for the year".

(4) Subsection 39 (4) of the Regulation is amended by striking out "under subsection 28 (1) of the Act" in the first and second lines and substituting "for a particular year pursuant to the subsidy calculation worksheet for the year".

6. Subsection 45 (3) of the Regulation is revoked.

7. Tables 1, 2, 4 and 5 of the Regulation are revoked and the following substituted:

TABLE 1

ITEM	COLUMN 1	COLUMN 2
	Year	Documents
1.	1993 and 1994	The document titled "Long-Term Care Facility Subsidy Calculation Worksheet - Municipal Homes for the Aged" and dated July 6, 1994.



2.	1995	The document titled "Long-Term Care Facility Subsidy Calculation Worksheet" and dated March 20, 1995.
3.	1996 and following years	The document titled "Long-Term Care Facility Subsidy Calculation Worksheet", "Long-Term Care Facility Subsidy Calculation Worksheet - Appendix 1", "Long-Term Care Facility Subsidy Calculation Worksheet - Appendix 2" and "Long-Term Care Facility Subsidy Calculation Worksheet - Appendix 3", each dated May 20, 1996.

8. (1) Despite its revocation by section 4, subsection 38 (4) of the Regulation, as it read immediately before its revocation, continues to apply in respect of periods ending on or before December 31, 1995.

(2) Despite its revocation by section 6, subsection 45 (3) of the Regulation, as it read immediately before its revocation, continues to apply in respect of days before April 1, 1995.

9. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Sections 1, 2, 3, 6 and 7 and subsection 8 (2) shall be deemed to have come into force on June 1, 1996.

31/96

**ONTARIO REGULATION 343/96**  
made under the  
**PHYSICIAN SERVICES DELIVERY**  
**MANAGEMENT ACT, 1996**

Made: July 17, 1996  
Filed: July 18, 1996

Amending O. Reg. 36/96  
(Designation of Rights and Obligations)

Note: Ontario Regulation 36/96 has not previously been amended.

1. Ontario Regulation 36/96 is amended by adding the following sections:

2. (1) The following rights and obligations under the "Mount Forest Physicians Agreement" executed by the parties referred to in subsection (2) on June 1, 1991 are designated for the purposes of section 1 of the Act:

1. The representation rights of the Ontario Medical Association referred to or provided for in paragraph 1.4, 4.2, 5.2 or 7.2 of the agreement.
2. The obligation of the Minister to give the Ontario Medical Association 30 days notice of termination of the agreement, under paragraph 7.3 of the agreement.
3. Any right or obligation with respect to mediation, arbitration or any other dispute resolution mechanism under paragraph 8.1 of the agreement.

(2) The parties to the "Mount Forest Physicians Agreement" are as follows:

1. The Minister of Health of Ontario.

2. The Ontario Medical Association.

3. Dr. Ken Babey, Dr. Simon Goodall, Dr. David Fletcher, Dr. Hugh Perrin and Dr. Stephen Wetmore.

3. The following rights and obligations under the "H.S.O. Central Agreement" executed by the Minister of Health and the Ontario Medical Association and effective on April 1, 1993 are designated for the purposes of section 1 of the Act:

1. The right of the Ontario Medical Association to agree to supplementary provisions in an "individual H.S.O. contract", under paragraph 2.2 of the agreement.
2. Any right or obligation with respect to mediation, arbitration or any other dispute resolution mechanism under articles 14, 16 and 18 of the agreement.
3. The representation rights of the Ontario Medical Association referred to or provided for in paragraph 17.3 of the agreement.

4. (1) The following rights and obligations under the "Agreement to provide for Designated Physician Services at the Hospital for Sick Children" executed by the parties referred to in subsection (2) on August 11, 1994 are designated for the purposes of section 1 of the Act:

1. Any right or obligation with respect to mediation, arbitration or any other dispute resolution mechanism under,
  - i. sections 2.3, 2.4, 2.5 and 13 of the agreement,
  - ii. sections 19 to 23 of the "Supplementary Agreement" appended to the agreement, and
  - iii. article 6.1 of the "Interim Ancillary Agreement on Conversion" appended to the agreement.
2. All rights of the Ontario Medical Association as a party to the agreement on its own behalf.
3. The obligation of the Minister of Health under paragraph 4.1.1 of the agreement not to exercise any of the powers referred to in that paragraph contrary to the provisions of the agreement.
4. The right of the Ontario Medical Association to agree to certain amendments to the agreement, as specified in article 4.1 of the Interim Ancillary Agreement on Conversion appended to the agreement.
5. The right of any party, under article 5.1 of the "Interim Ancillary Agreement on Conversion" appended to the agreement, to have the transfer amount referred to in that article remain at an amount that is no less than the transfer amount defined in article 2 of that agreement, plus any additional adjustments as specified in article 5.1 of that agreement.

(2) The parties to the "Agreement to provide for Designated Physician Services at the Hospital for Sick Children" are as follows:

1. Her Majesty in Right of the Province of Ontario.
2. The Hospital for Sick Children.
3. The Governing Council of the University of Toronto.
4. The Ontario Medical Association.

5. (1) The following rights and obligations under the "Agreement to Establish Alternative Funding" executed by the parties referred to in subsection (2) on September 20, 1994 are designated for the purposes of section 1 of the Act:



1. Any right or obligation with respect to mediation, arbitration or any other dispute resolution mechanism under,
    - i. sections 2.3, 2.4, 2.5 and 13 of the agreement,
    - ii. articles 3.5, 3.6, 4.2, 5.1, 5.2, 6.1 and 8 of the "Supplemental Agreement to the Agreement to Establish Alternative Funding" appended to the agreement, and
    - iii. article 6.1 of the "Interim Ancillary Agreement on Conversion" appended to the agreement.
  2. The obligation of the Minister of Health under paragraph 4.1.1 of the agreement not to exercise any of the powers referred to in that paragraph contrary to the provisions of the agreement.
  3. The right of the Ontario Medical Association to agree to certain amendments to the agreement, as specified in article 4.1 of the "Interim Ancillary Agreement on Conversion" appended to the agreement.
  4. The right of any party, under article 5.1 of the "Interim Ancillary Agreement on Conversion" appended to the agreement, to have the transfer amount referred to in that article remain at an amount that is no less than the transfer amount defined in article 2 of that agreement, plus any additional adjustments as specified in article 5.1 of that agreement.
- (2) The parties to the "Agreement to Establish Alternative Funding" are as follows:
1. Her Majesty in Right of the Province of Ontario.
  2. Queen's University at Kingston.
  3. The Clinical Teachers' Association of Queen's University.
  4. The Kingston General Hospital, the Religious Hospitallers of St. Joseph of the Hotel Dieu and the Providence Continuing Care Centre (St. Mary's of the Lake Hospital).
  6. The following rights and obligations under the "Red Lake Physicians Agreement" executed by Her Majesty in right of the Province of Ontario and the Ontario Medical Association dated December 12, 1994 are designated for the purposes of section 1 of the Act:
    1. The representation rights of the Ontario Medical Association referred to in subparagraph 4 (1) of the agreement.
    2. Any right or obligation with respect to mediation, arbitration or any other dispute resolution mechanism under,
      - i. paragraphs 24, 27, 28 and subparagraphs 29 (2), (3) and (4) of the agreement,
      - ii. the letter entitled "Letter of understanding re: expedited umpire proceedings" appended to the agreement,
      - iii. paragraph 13 of the "Red Lake Physicians Ancillary Agreement on Conversion" set out in Schedule 1 to the agreement, and
      - iv. paragraph 5 of the "Red Lake Physicians Supplementary Process Agreement in respect of Conversion" set out in Schedule 2 to the agreement.
    3. All rights of the Ontario Medical Association as a party to the agreement on its own behalf.

4. All rights or obligations under paragraph 12.2 of the "Red Lake Physicians Ancillary Agreement on Conversion" set out in Schedule 1 to the agreement.
5. The right of the Ontario Medical Association under paragraph 9 of the "Red Lake Physicians Supplementary Process Agreement in respect of Conversion" set out in Schedule 2 to the agreement to have a decision made by the factfinder referred to in that paragraph be final and binding.
7. (1) The following rights and obligations under the "Agreement to provide for Alternative Funding in the Department of Paediatrics, Faculty of Medicine, University of Ottawa" executed by the parties referred to in subsection (2) on November 29, 1995 are designated for the purposes of section 1 of the Act:
  1. Any right or obligation with respect to mediation, arbitration or any other dispute resolution mechanism under,
    - i. sections 2.3, 2.4, 2.5 and 12.1 of the agreement,
    - ii. section 3 of the "Ancillary Agreement" set out in Appendix B to the agreement,
    - iii. paragraphs 18, 20, 21 and 22 of the "Supplementary Agreement" set out in Appendix C to the agreement, and
    - iv. article 6 of the "Agreement on Conversion" set out in Appendix D to the agreement.
  2. The right of the Ontario Medical Association under paragraph 15 of the "Supplementary Agreement" set out in Appendix C to the agreement to have a decision made by the factfinder referred to in that paragraph be final and binding.

(2) The parties to the "Agreement to provide for Alternative Funding in the Department of Paediatrics, Faculty of Medicine, University of Ottawa" are as follows:

1. Her Majesty in Right of the Province of Ontario.
2. The Children's Hospital of Eastern Ontario.
3. The University of Ottawa.
4. The Ottawa Clinical Teachers' Association.

31/96

**ONTARIO REGULATION 344/96**  
made under the  
**ONTARIO COLLEGE OF TEACHERS ACT, 1996**

Made: July 17, 1996  
Filed: July 19, 1996

**FIRST ELECTION**

**DEFINITIONS**

1. (1) In this Regulation,

"elector" means a person who holds an Ontario Teacher's Certificate or a letter of standing issued under the *Education Act* and "electorate" has a corresponding meaning;

"supervisory officer" means a person who is qualified in accordance with the regulations made under the *Education Act* governing supervisory officers and who is employed,

(a) by a school board, or

(b) in the Ministry and designated by the Minister,

to perform such supervisory and administrative duties as are required of supervisory officers by the *Education Act* and the regulations made under it.

(2) In this Regulation, "intermediate division", "junior division", "primary division", "private school" and "senior division" have the same meaning as in subsection 1 (1) of the *Education Act*.

(3) In this Regulation, "English-language section" and "French-language section" have the same meaning as in Part XIII of the *Education Act*.

(4) In this Regulation, "branch affiliate" has the same meaning as in section 1 of the *School Boards and Teachers Collective Negotiations Act*.

(5) For the purposes of sections 9 to 12, a person who is an occasional teacher within the meaning of subsection 1 (1) of the *Education Act* is employed by a school board or the Provincial Schools Authority only if the person was employed, by one or more school boards or the Provincial Schools Authority or both, for a total of at least 20 days in 1996 before the date specified under subsection 19 (2).

#### POSITIONS ESTABLISHED

2. The following positions are established for purposes of the election of members of the first Council of the College:

1. Position 1: Northern Ontario Elementary
2. Position 2: Northern Ontario Secondary
3. Position 3: Southwestern Ontario Elementary
4. Position 4: Southwestern Ontario Secondary
5. Position 5: Southeastern Ontario Elementary
6. Position 6: Southeastern Ontario Secondary
7. Position 7: Central Ontario Elementary
8. Position 8: Central Ontario Secondary
9. Position 9: Public System
10. Position 10: Public System
11. Position 11: Separate System
12. Position 12: Separate System
13. Position 13: French-language Systems
14. Position 14: French-language Systems
15. Position 15: Supervisory Officers
16. Position 16: Private Schools
17. Position 17: Faculties of Education

#### ELIGIBILITY TO VOTE

3. Each elector who resides in one of the following areas is entitled to cast one vote for Position 1 and one vote for Position 2:

1. The territorial districts within the meaning of the *Territorial Division Act*.
2. The Regional County Municipalities of Abitibi, Abitibi-Ouest, Rouyn-Noranda, Témiscamingue and Vallée de l'Or in the Province of Quebec.
3. The Province of Manitoba.

4. Each elector who resides in one of the following areas is entitled to cast one vote for Position 3 and one vote for Position 4:

1. The counties of Brant, Essex, Kent, Lambton, Elgin, Middlesex, Huron, Perth, Bruce, Grey, Wellington and Oxford.
2. The Regional Municipalities of Haldimand-Norfolk, Halton, Waterloo, Niagara and Hamilton-Wentworth.

5. Each elector who resides in one of the following areas is entitled to cast one vote for Position 5 and one vote for Position 6:

1. The Regional Municipality of Ottawa-Carleton.
2. The united counties of Prescott and Russell.
3. The united counties of Stormont, Dundas and Glengarry.
4. The united counties of Leeds and Grenville.
5. The counties of Haliburton, Prince Edward, Hastings, Northumberland, Victoria, Peterborough, Lanark, Renfrew, Frontenac, and Lennox and Addington.
6. The Municipality of Clarington in the Regional Municipality of Durham.
7. Any part of the Province of Quebec not mentioned in section 3.

6. Each elector who resides in one of the following areas is entitled to cast one vote for Position 7 and one vote for Position 8:

1. The Regional Municipalities of Peel and York.
2. The Regional Municipality of Durham except for the Municipality of Clarington.
3. The counties of Simcoe and Dufferin.
4. The Municipality of Metropolitan Toronto.
5. Any area not mentioned in section 3, 4 or 5.

7. Each elector is entitled to cast one vote for each of Positions 9 to 17.

#### ELIGIBILITY FOR NOMINATION

8. A person is eligible to be nominated for a position if the person,
  - (a) is an elector;
  - (b) is entitled under sections 3 to 7 to cast a vote for the position;
  - (c) resides in Ontario;



(d) meets all the requirements of sections 9 to 15 that relate to the position; and

(e) is not employed by the College or the Registrar, under a secondment agreement or otherwise.

9. (1) To be eligible to be nominated for any of positions 1 to 8, a person must be,

(a) employed by a school board or the Provincial Schools Authority;

(b) employed at a private school that has submitted a current notice of intention under section 16 of the *Education Act*;

(c) employed by a university included in the Schedule to the *University Foundations Act, 1992* or by a college of applied arts and technology established in accordance with section 5 of the *Ministry of Colleges and Universities Act*;

(d) employed by the Crown in right of Canada at a school operated by the Crown in right of Canada;

(e) employed by a band or the council of a band within the meaning of the *Indian Act* (Canada) at a school operated by the band or the council of the band; or

(f) employed by an education authority within the meaning of subsection 1 (1) of the *Education Act*.

(2) To be eligible to be nominated for position 1, 3, 5 or 7, a person,

(a) must be a member of a branch affiliate that represents only elementary school teachers;

(b) must be a member of a branch affiliate that represents both elementary school teachers and secondary school teachers and must be employed as an elementary school teacher; or

(c) must not be a member of any branch affiliate and must hold the qualifications required under the *Education Act* to teach in a course or class in the primary or junior division or in the first two years of the intermediate division.

(3) To be eligible to be nominated for position 2, 4, 6 or 8, a person,

(a) must be a member of a branch affiliate that represents only secondary school teachers;

(b) must be a member of a branch affiliate that represents both elementary school teachers and secondary school teachers and must be employed as a secondary school teacher; or

(c) must not be a member of any branch affiliate and must hold the qualifications required under the *Education Act* to teach in a course or class in the last two years of the intermediate division or in the senior division.

10. To be eligible to be nominated for position 9 or 10, a person,

(a) must be employed by the Provincial Schools Authority or a school board, other than a Roman Catholic separate school board; and

(b) must not be a person described in section 12 or 13.

11. To be eligible to be nominated for position 11 or 12, a person,

(a) must be employed by a Roman Catholic separate school board; and

(b) must not be a person described in section 12 or 13.

12. To be eligible to be nominated for position 13 or 14, a person must not be a person described in section 13 and must be one of the following:

1. A person who is employed by the Provincial Schools Authority at École Jules Léger.

2. A person who is employed by The Metropolitan Toronto French-Language School Council, the Conseil des écoles publiques d'Ottawa-Carleton, the Conseil des écoles catholiques de langue française de la région d'Ottawa-Carleton or the Conseil des écoles séparées catholiques de langue française de Prescott-Russell.

3. A person who is employed by a school board that is a board within the meaning of subsection 309 (1) of the *Education Act* and whose recruitment and assignment fall within the exclusive jurisdiction of the French-language section or outside the exclusive jurisdiction of the English-language section of the board.

4. A person who is employed by a school board that is not a board within the meaning of subsection 309 (1) of the *Education Act*, to teach in a course or class in which the language of instruction is French or Quebec sign language, other than a course or class established under paragraph 25 of subsection 8 (1) of the *Education Act*.

13. To be eligible to be nominated for position 15, a person must be a supervisory officer.

14. To be eligible to be nominated for position 16, a person must be employed at a private school that has submitted a current notice of intention under section 16 of the *Education Act*.

15. To be eligible to be nominated for position 17, a person must be employed by a university or college with which the Minister of Education and Training has an agreement under clause 14 (1) (b) of the *Education Act*, at a school or faculty of education within the university or college.

16. (1) A person who is nominated for position 9 shall be deemed to be also nominated for position 10 and vice versa.

(2) Subsection (1) applies with necessary modifications to positions 11 and 12 and to positions 13 and 14.

#### GENERAL DUTIES OF REGISTRAR

17. (1) The Registrar shall administer the election of members of the first Council of the College and shall decide all matters incidental to the election, including but not limited to whether a person is eligible to vote for a position, whether a person is eligible to be nominated for a position and whether a nomination or vote should be accepted.

(2) The Registrar shall act as returning officer for the purposes of the election.

(3) The Registrar may,

(a) employ persons to assist in the conduct of the election; and

(b) enter into an agreement for the purpose of using electronic means for voting and for tabulating results.



(4) The Registrar shall permit any elector to inspect, during regular office hours, the list of electors identified by the Registrar as eligible to vote for any position.

#### CALLING THE ELECTION

18. (1) The Registrar shall designate a period of one week during which the election of members of the first Council of the College will be held.

(2) The week must begin before March 1, 1997.

19. (1) The Registrar shall give notice of the election to the electors at least 90 days before the first day of the voting period.

(2) The notice shall include a nomination form, instructions on how to nominate candidates and the last date for service on the Registrar of completed nominations.

(3) The notice shall be given in a manner that, in the Registrar's opinion, is adequate to bring the election to the attention of the electorate.

20. (1) Nominations shall be in writing, in a form established by the Registrar, and shall state,

- (a) the name, address and phone number of the nominee;
- (b) the position sought by the nominee;
- (c) the name of the nominee's employer; and
- (d) any other information required by the Registrar.

(2) Where the nominee is an occasional teacher within the meaning of subsection 1 (1) of the *Education Act*, the nomination shall specify the dates in 1996 on which the nominee was employed by a school board or by the Provincial Schools Authority.

(3) The nomination shall include the signatures of at least 20 electors other than the nominee, each of whom must, at the time that he or she signs, be eligible to be nominated for the position sought by the nominee.

(4) The nomination shall also include the signature of the nominee attesting to,

- (a) his or her eligibility for the position sought;
- (b) his or her willingness to be nominated and to serve on the Council; and
- (c) the accuracy of any information about the nominee contained in the nomination.

(5) A nominee may submit a biographical statement in support of the nomination, in a form established by the Registrar and within the time specified by the Registrar.

(6) The biographical statement shall include the signature of the nominee attesting to the accuracy of any information about the nominee contained in the statement.

21. (1) No person shall sign as nominee for more than one position.

(2) The Registrar shall reject all nominations of a person who contravenes subsection (1).

22. (1) Subject to subsection (2), nominations may be served on the Registrar in accordance with section 52 of the Act or by facsimile.

(2) The Registrar shall reject a nomination that is served by facsimile if the nominee is unable to satisfy the Registrar that the facsimile is a true copy of the original nomination.

23. (1) The Registrar shall review the nominations and shall reject a nomination,

- (a) if the Registrar has reason to believe that the nominee is not eligible to be nominated for the position; or
- (b) if the nomination was not served on the Registrar by the date specified under subsection 19 (2).

(2) The Registrar may reject a nomination where he or she reasonably determines that it does not meet the requirements of this Regulation.

24. (1) The Registrar shall give each nominee written notice as to whether the nomination has been accepted or rejected.

(2) A person whose nomination for a position has been accepted is a candidate for the position.

(3) A person who is a candidate for position 9 shall be deemed to be also a candidate for position 10 and vice versa.

(4) Subsection (3) applies with necessary modifications to positions 11 and 12 and to positions 13 and 14.

25. (1) The Registrar shall declare a person's candidacy for a position terminated where the Registrar reasonably determines that the person,

- (a) was not eligible to be nominated for the position at the time the person's nomination was served on the Registrar;
- (b) has ceased to be eligible to be nominated for the position since the time mentioned in clause (a); or
- (c) signed as nominee for more than one position.

(2) The Registrar shall declare a person's candidacy for a position terminated on receiving written notification from the person that he or she wishes the candidacy terminated.

(3) Where a person's candidacy is terminated, the Registrar shall,

- (a) give the person written notice of the termination; and
- (b) take the steps that the Registrar considers feasible and appropriate to make the electorate aware that the candidacy has been terminated.

#### ACCLAMATIONS, VACANT POSITIONS

26. (1) Subject to subsections (2) to (4), where only one person is a candidate for a position, the Registrar shall declare the person elected to the position by acclamation.

(2) Where only one person is a candidate for positions 9 and 10, the Registrar shall declare the person elected to one of the positions by acclamation.

(3) Where the total number of candidates for positions 9 and 10 is two, the Registrar shall acclaim one as elected to position 9 and one as elected to position 10.

(4) Subsections (2) and (3) apply with necessary modifications to positions 11 and 12 and to positions 13 and 14.

27. (1) Where there is no candidate for a position, a majority of the elected members of Council shall at its first meeting elect a person to the position.

(2) A vote under subsection (1) may only be cast for a person who is at the time of the vote eligible to be nominated for the position.

#### ELECTION PROCEDURES

28. (1) The Registrar shall establish the voting procedures for the election.

(2) The procedures shall permit each elector to vote on any day during the voting period.

(3) The procedures may provide for the use of electronic means for voting and for tabulating results.

(4) The Registrar shall make reasonable efforts to ensure that any records that connect the name of an elector to the votes cast by him or her are used only to the extent necessary for the purposes of voting and tabulating results.

29. (1) At least 20 days before the first day of the voting period, the Registrar shall mail the following information to each elector identified by the Registrar as eligible to vote:

1. A list of the positions for which the elector is entitled to vote.
2. A list of the candidates, in alphabetical order, for each of positions 1 to 8 and 15 to 17 for which the elector is entitled to vote.
3. A list of the candidates, in alphabetical order, for positions 9 and 10.
4. A list of the candidates, in alphabetical order, for positions 11 and 12.
5. A list of the candidates, in alphabetical order, for positions 13 and 14.
6. The biographical statement, where submitted and prepared in accordance with the requirements of this Regulation, for each of the candidates for whom the elector is entitled to vote.
7. Instructions on how to vote, including clarifying that an elector cannot cast two votes for the same person for positions 9 and 10, for positions 11 and 12 or for positions 13 and 14.
8. A general description of the role and functions of the College and of the Council.

(2) The mailing shall be by ordinary mail to the elector's current address, as ascertained by the Registrar.

(3) The Registrar shall make reasonable efforts to identify the electors, to determine the positions each elector is entitled to vote for and to ascertain the current address of each elector.

#### ELECTION RESULTS

30. (1) The Registrar shall, within two days after the last day of the voting period,

- (a) ensure that the votes for each candidate are counted;

(b) declare elected the candidate who received the greatest number of votes for each of positions 1 to 8 and 15 to 17;

(c) declare elected to positions 9 and 10 the candidates for those positions who received the two highest numbers of votes for the positions;

(d) declare elected to positions 11 and 12 the candidates for those positions who received the two highest numbers of votes for the positions; and

(e) declare elected to positions 13 and 14 the candidates for those positions who received the two highest numbers of votes for the positions.

(2) The Registrar shall make the election results available to the public, including the candidate elected to each position, the total number of votes cast for each position, the number of votes cast for each candidate and the number of votes rejected, with an indication of the reasons.

(3) If fewer than 50 votes separate an elected candidate from another candidate for the same position, the Registrar shall, on the request of the other candidate, promptly re-tabulate the results of the election for the position and provide the re-tabulated results to all candidates for the position.

(4) A request by a candidate under subsection (3) may only be made within 12 days after the last day of the voting period.

(5) Where from the re-tabulation it appears to the Registrar that a wrong candidate was declared elected, the Registrar shall correct the results, declare the correct candidate as elected and make the corrected election results available to the public.

(6) The Registrar shall retain all returns from the election until the Election Review Committee authorizes their destruction or until September 1, 1997, whichever comes first.

(7) Where necessary, the Registrar shall break a tie by lot.

#### RIGHT TO USE FRENCH

31. (1) An elector has the right to use French or English in all dealings with the Registrar relating to the election of members of the first Council of the College.

(2) An elector has the right to vote in French or English.

#### TERM OF OFFICE

32. The persons elected to the Council of the College under this Regulation shall hold office for a term of three years beginning on the day of the first meeting of the Council at which there is a quorum.

#### ELECTION REVIEW COMMITTEE

33. (1) After the election of the members of the first Council of the College, the Council shall appoint an Election Review Committee.

(2) Only persons who were elected to the Council under this Regulation may be appointed to the Election Review Committee.

(3) The Election Review Committee shall review the conduct of the election and make recommendations to the Council on regulations and by-laws to govern subsequent elections of members of the Council.

(4) The recommendations shall be made with a view to preserving and enhancing the efficiency and integrity of the election process.

(5) The Registrar shall cooperate with and assist the Election Review Committee in the performance of its duties.



## REVOCATION

34. This Regulation is revoked on September 1, 1997.

31/96

**ONTARIO REGULATION 345/96**  
made under the  
**ONTARIO COLLEGE OF TEACHERS ACT, 1996**

Made: July 17, 1996

Filed: July 19, 1996

**APPOINTMENTS TO COUNCIL**

1. The Lieutenant Governor in Council shall appoint persons under clause 4 (2) (b) of the Act who are, in the opinion of the Lieutenant Governor in Council, able to represent the public interest and the interests of the education community.

2. The persons appointed under clause 4 (2) (b) of the Act shall hold office for the term specified in the appointment.

31/96

**ONTARIO REGULATION 346/96**  
made under the  
**PLANNING ACT**

Made: July 18, 1996

Filed: July 19, 1996

**WITHDRAWAL AND DELEGATION OF MINISTER'S  
AUTHORITY—REGIONAL MUNICIPALITY OF YORK  
AND CITY OF VAUGHAN**

1. In this Regulation,

"Minister's authority" means the Minister's authority to give approval under section 51 of the Act continued, as it existed immediately prior to March 28, 1995, by section 74.1 of the Act with respect to,

- (a) applications for approval of plans of subdivision whose file numbers are set out in Schedule 1; and
- (b) applications for approval or exemption of condominium descriptions under section 50 of the *Condominium Act* whose file numbers are set out in Schedule 2.

2. The delegation of the Minister's authority to the council of the Regional Municipality of York under Ontario Regulations 475/83 and 476/83 is withdrawn.

3. The Minister's authority is delegated to the council of the City of Vaughan.

4. (1) If any of the authority delegated to the council is in turn delegated by the council to a committee of council or an appointed officer under subsection 5 (1) of the Act, the council shall forward to the Minister a certified copy of the delegating by-law within 15 days of its passing.

(2) The delegation of authority set out in this Regulation is not terminated by reason only that subsection (1) is not complied with.

5. This Regulation comes into force on August 6, 1996.

**Schedule 1**

**FILE NUMBERS OF APPLICATIONS FOR  
APPROVAL OF PLANS OF SUBDIVISION**

19T-95102	19T-95066
19T-95100	19T-95065
19T-95099	19T-95064
19T-95098	19T-95062
19T-95097	19T-95055
19T-95092	19T-95053
19T-95090	19T-95045
19T-95079	19T-95044
19T-95078	19T-95015
19T-95068	19T-95008

**Schedule 2**

**FILE NUMBERS OF APPLICATIONS FOR APPROVAL  
OR EXEMPTION OF CONDOMINIUM DESCRIPTIONS**

19CDM-95011  
19CDM-95010  
19CDM-95008

AL LEACH

*Minister of Municipal Affairs and Housing*

Dated at Toronto on July 18, 1996.

31/96

**ONTARIO REGULATION 347/96**  
made under the  
**PLANNING ACT**

Made: July 18, 1996

Filed: July 19, 1996

**WITHDRAWAL AND DELEGATION OF MINISTER'S  
AUTHORITY—REGIONAL MUNICIPALITY OF YORK  
AND TOWN OF MARKHAM**

1. In this Regulation,

"Minister's authority" means the Minister's authority to give approval under section 51 of the Act continued, as it existed immediately prior to March 28, 1995, by section 74.1 of the Act with respect to,

- (a) applications for approval of plans of subdivision whose file numbers are set out in Schedule 1, and
- (b) applications for approval or exemption of condominium descriptions under section 50 of the *Condominium Act* whose file numbers are set out in Schedule 2.

2. The delegation of the Minister's authority to the council of the Regional Municipality of York under Ontario Regulations 475/83 and 476/83 is withdrawn.

3. The Minister's authority is delegated to the council of the Town of Markham.



4. (1) If any of the authority delegated to the council is in turn delegated by the council to a committee of council or an appointed officer under subsection 5 (1) of the Act, the council shall forward to the Minister a certified copy of the delegating by-law within 15 days of its passing.

(2) The delegation of authority set out in this Regulation is not terminated by reason only that subsection (1) is not complied with.

5. This Regulation comes into force on August 6, 1996.

### Schedule 1

#### FILE NUMBERS OF APPLICATIONS FOR APPROVAL OF PLANS OF SUBDIVISION

19T-95110  
19T-95109  
19T-95104  
19T-95096  
19T-95087  
19T-95081  
19T-95076  
19T-95075  
19T-95073  
19T-95072  
19T-95063  
19T-95061  
19T-95060  
19T-95056  
19T-95051  
10T-95050  
19T-95049  
19T-95047  
19T-95046  
19T-95043  
19T-95042  
19T-95041  
19T-95040  
19T-95039  
19T-95031  
19T-95030  
19T-95029  
19T-95026  
19T-95014  
19T-95013  
19T-95012  
19T-95011  
19T-95009  
19T-95007  
19T-95005  
19T-95004  
19T-95002  
19T-94053  
19T-94050  
19T-94029  
19T-93005  
19T-91023  
19T-85085

19T-94012  
19T-93004  
19T-89069  
19T-87122  
19T-87039  
19T-87033  
19T-87025  
19T-85034  
19T-79035  
19T-93019  
19T-92005  
19T-89126  
19T-88008  
19T-87112  
19T-87082  
19T-87052  
19T-86017  
19T-85083

### Schedule 2

#### FILE NUMBERS OF APPLICATIONS FOR APPROVAL OR EXEMPTION OF CONDOMINIUM DESCRIPTIONS

19CDM-95007	19CDM-95002
19CDM-90037	19CDM-92005
19CDM-90021	19CDM-90047
19CDM-95016	19CDM-90046
19CDM-95006	19CDM-90026
19CDM-95003	

AL LEAC  
Minister of Municipal Affairs and Housing

Dated at Toronto on July 18, 1996.

31/96

### ONTARIO REGULATION 348/96 made under the ENERGY ACT

Made: July 17, 1996

Filed: July 19, 1996

### CERTIFICATES

#### APPLICATIONS

1. (1) A person may apply to the Director for a certificate designating the person as one or more of the following:

1. A gas technician 1 (a "G.1 certificate").
2. A gas technician 2 (a "G.2 certificate").
3. A gas technician 3 (a "G.3 certificate").
4. A gas piping fitter (a "GP certificate").
5. A liquid propane fitter (an "LP certificate").

6. An internal combustion alternate fuel technician (an "ICE certificate").
7. An internal combustion alternate fuel technician - industrial vehicles (an "ICE-IV certificate").
8. A domestic appliance technician (a "DA certificate").
9. An industrial maintenance gas technician (an "IMT certificate").
10. A propane plant operator 1 (a "PPO-1 certificate").
11. A propane plant operator 2 (a "PPO-2 certificate").
12. A propane plant operator 3 (a "PPO-3 certificate").
13. A propane cylinder inspector (a "PCI-1 certificate").
14. A propane truck inspector (a "PTO-1 certificate").
15. An oil burner technician 1 (an "OBT-1 certificate").
16. An oil burner technician 2 (an "OBT-2 certificate").
17. An oil burner technician 3 (an "OBT-3 certificate").
18. An oil pipeline inspector (an "OPI certificate").

(2) A person may apply to the Director to add one or more designations to his or her certificate.

(3) An application must be accompanied by a \$50 application fee.

(4) A professional engineer within the meaning of the *Professional Engineers Act* shall be deemed to hold an OPI certificate.

2. (1) An application to renew a certificate must be made to the Director and must be accompanied by a \$50 application fee.

(2) An application for renewal may be made before the applicant's certificate expires or within one year after it has expired.

(3) An application for renewal must include a completed declaration of work experience, in a format acceptable to the Director, indicating that the applicant worked within the scope of the certificate while it was in effect.

(4) No application may be made to renew a G.3 or OBT-3 certificate. However, a new application may be made for a G.3 or OBT-3 certificate.

3. (1) An applicant for a certificate must have successfully completed a program approved by the Director that is delivered by a training organization approved by the Director for each designation sought by the applicant.

(2) The applicant is not required to comply with subsection (1) if the Director is satisfied that the applicant possesses the necessary knowledge and competence with respect to each designation sought by the applicant.

(3) The applicant must have successfully completed an examination or a series of examinations, conducted or approved by the Director, demonstrating that the applicant possesses the necessary knowledge and competence for each designation sought by the applicant.

(4) If the applicant fails the examination or series of examinations on three successive attempts, the applicant must successfully complete the

program described in subsection (1) after making the unsuccessful attempts and before taking the examination or series of examinations again, and subsection (2) does not apply.

(5) If the applicant fails the examination or series of examinations for one designation, he or she is not entitled to take the examination or series of examinations for the same designation until,

(a) he or she makes a new application for the designation; and

(b) 30 days have passed since the applicant took the examination or series of examinations.

4. An applicant for a G.1 certificate must meet the following additional requirements:

1. The applicant must hold a G.2 certificate when he or she applies.
2. The applicant must have worked as a gas technician 2 within the scope of a G.2 certificate for at least two years or 4,000 hours. The applicant must have worked at least 500 hours on systems with an input greater than 400,000 Btuh, under the supervision of a person with a G.1 certificate.
3. The applicant must submit a completed declaration of work experience in a format acceptable to the Director. The declaration must detail the nature of the experience the applicant acquired as a G.2 certificate holder during the period described in paragraph 2.

5. An applicant for a G.2, GP or DA certificate must meet the following additional requirements:

1. The applicant must hold a G.3 certificate when he or she applies.
2. The applicant must have enrolled in the program referred to in subsection 3 (1) before the expiry of his or her G.3 certificate or must have asked the Director before that expiry to determine whether subsection 3 (2) applies to the applicant.

6. (1) An applicant for an IMT certificate must meet the following additional requirements:

1. When he or she applies, the applicant must hold a G.3 certificate or a certificate of qualification as a first, second or third class stationary engineer under the *Operating Engineers Act*.
2. The applicant must have been trained by his or her employer or by the manufacturer with respect to the systems being maintained and serviced.
3. The applicant must have enrolled in the program referred to in subsection 3 (1) before the expiry of his or her G.3 certificate or must have asked the Director before that expiry to determine whether subsection 3 (2) applies to the applicant.

(2) The employer of a prospective applicant for an IMT certificate shall maintain records of the training referred to in paragraph 2 of subsection (1) given to the applicant and, upon request, shall give a copy of them to the Director.

7. An applicant for an LP certificate must hold a G.1, G.2, GP or IMT certificate when he or she applies.

8. (1) An applicant for an ICE certificate must meet the following additional requirements:

1. The applicant must hold a certificate of qualification under the *Trades Qualification and Apprenticeship Act* as an automotive service technician, a truck and coach technician, a heavy duty



equipment mechanic, a fuel and electrical systems technician or a farm equipment mechanic when he or she applies.

2. The applicant must have successfully completed a training program approved by the Director on propane carburation systems and natural gas carburation systems.

(2) An applicant for an ICE-IV certificate must have successfully completed a training program approved by the Director on propane carburation systems and natural gas carburation systems.

(3) An applicant for an ICE or ICE-IV certificate who has successfully completed a training program on propane carburation systems only may be issued a certificate with the additional designation "P". The holder of such a certificate is entitled to carry out work on propane appliances and systems only.

(4) An applicant for an ICE or ICE-IV certificate who has successfully completed a training program in natural gas carburation systems only may be issued a certificate with the additional designation "NG". The holder of such a certificate is entitled to carry out work on natural gas appliances and systems only.

9. An applicant for an OBT-1 certificate must meet the following additional requirements:

1. The applicant must hold an OBT-2 certificate when he or she applies.
2. The applicant must have worked as an oil burner technician 2 for at least 4,000 hours. The applicant must have worked at least 500 hours on oil-fired systems with an input greater than 7 U.S. gallons per hour, under the supervision of a person with an OBT-1 certificate.

10. An applicant for an OBT-2 certificate must hold an OBT-3 certificate when he or she applies.

#### TERMS OF CERTIFICATE

11. A certificate is not transferable.

12. (1) A certificate expires on the second anniversary of the holder's date of birth after it is issued.

(2) Despite subsection (1), a G.3 or OBT-3 certificate expires three years after the date on which it is issued.

(3) If a designation is added to a certificate after the certificate is issued, the expiry date of the certificate does not change. However, if a designation is added to a G.3 or OBT-3 certificate that has no other designations, the new designation expires on the second anniversary of the holder's date of birth after it is added.

(4) A certificate that is renewed expires two years after the date on which the previous certificate expires.

13. A person who holds a certificate shall notify the Director within six days after any change in his or her address.

#### SCOPE OF CERTIFICATE

14. (1) A person who holds a G.1 certificate may install, inspect, alter, purge, activate, repair, service or remove a natural gas or propane appliance and the equipment and accessories essential to its operation.

(2) When performing a function described in subsection (1), the person may do what a person who holds a G.2, G.3, GP, IMT or DA certificate may do and may do the following:

1. Install, inspect, test, alter, purge, activate, repair, service or remove any piping or tubing, or component in a piping or tubing system, to an appliance downstream of the natural gas meter or propane vapour service valve.
2. Install, inspect, alter, repair, service or remove any vent, vent connector, draft control device or other component in an appliance venting system.
3. Disconnect and reconnect not more than 5 feet of water piping, measured horizontally, in order to exchange, service or install an approved appliance and carry out the replacement necessary to complete the reconnection of controls and components forming part of the appliance.
4. Maintain, service or replace a mechanical or electrical component or accessory forming part of an appliance or essential to its operation.
5. Perform the tasks that are necessary to replace controls and components forming part of an appliance, other than replacing a low water cut-off.
6. Install, service, remove or replace components and accessories forming part of the gas-side of a refrigerating or air-conditioning unit. However, the person shall not perform any work beyond the gas-side unless he or she holds a certificate of qualification as a refrigeration and air-conditioning mechanic issued under the *Trades Qualification and Apprenticeship Act*.
7. Install, repair, service and maintain electrical wiring for natural gas or propane-fired appliances from an existing branch circuit containing over current protection. However, the person shall not run wiring back to the panel or perform any other type of electrical work related to the wiring of the appliance unless he or she holds a certificate of qualification as an electrician issued under the *Trades Qualification and Apprenticeship Act*.
8. Service and replace electrical switches, fuses and components that are directly related to the operation of an appliance.
9. Install, repair, service, remove or replace the plenum connection or components forming part of the plenum connection in order to complete the installation of a natural gas or propane appliance. However, the person shall not perform any sheet metal work beyond the plenum connection unless he or she holds a certificate of qualification as a sheet metal worker issued under the *Trades Qualification and Apprenticeship Act*.
15. (1) A person who holds a G.2 certificate may install, alter, purge, activate, repair, service or remove a natural gas or propane appliance that has an input of 400,000 Btuh or less and the equipment and accessories essential to its operation.
- (2) When performing a function described in subsection (1), the person may do the following:
  1. Perform the functions described in paragraphs 1 to 9 of subsection 14 (2) that the holder of a G.1 certificate may perform, other than the inspection function referred to in paragraphs 1 and 2 of that subsection.
  2. Perform all of the functions that the holder of a G.3, GP or DA certificate may perform.
16. (1) A person who holds a G.3 certificate may, under the supervision of a person who holds a G.1 or G.2 certificate, purge and install piping or tubing and reactivate previously-installed or newly-converted appliances. However, he or she shall not activate the appliances for the first time.
- (2) The G.1 or G.2 certificate holder is responsible for the work carried out by the G.3 certificate holder who is under his or her supervision.



(3) When performing a function described in subsection (1), the person may do the following:

1. Install, test, reactivate or remove any piping or tubing or a component in a piping or tubing system to an appliance downstream of the natural gas meter or propane vapour service valve up to the appliance shut-off valve.
2. Disconnect and reconnect no more than 5 feet of water piping, measured horizontally, in order to exchange or install an appliance.
3. Install, service, convert or activate a natural gas or propane appliance with an input of 400,000 Btuh or less under the supervision of person who holds a G.1, G.2, IMT or DA certificate.

17. (1) A person who holds an LP certificate may install, purge, activate, repair, alter, service and remove liquid propane piping or tubing systems and components.

(2) When performing a function described in subsection (1), the person may do the following:

1. Install, alter, purge and test valves, regulators or accessories that are connected to an appliance or component downstream of the liquid outlet of the propane storage tank.
2. Disconnect and reconnect appliances and components at the liquid gas piping or tubing in order to carry out repairs to piping or tubing.
3. Connect liquid piping or tubing to newly-installed or replacement propane appliances or components.

18. (1) A person who holds an ICE certificate may install, purge, inspect, activate, repair, service and remove propane and natural gas carburation equipment and systems on industrial vehicles and stationary engines and on motor vehicles within the meaning of the *Highway Traffic Act*.

(2) When performing a function described in subsection (1), the person may do the following:

1. Install, service and replace approved propane and natural gas carburation engine components, tubing, hoses, tanks and other related equipment on vehicles that operate on gaseous fuels.
2. Purge and pressure test the related equipment and systems to ensure that they do not leak.
3. Adjust and calibrate natural gas carburation equipment.
4. Purge propane or natural gas containers and lines of air and moisture.
5. Conduct visual inspections of gas tanks and carburation equipment for internal combustion engines on vehicles that are powered by propane or natural gas.

19. (1) A person who holds an ICE-IV certificate may,

- (a) install, alter, purge, activate, repair, service or remove propane or natural gas carburation equipment on stationary engines or internal combustion engines for industrial tractors and lift trucks;
- (b) install, service or remove equipment, piping, tubing or hose for them; and

(c) fill containers for stationary engines or internal combustion engines on industrial tractors and lift trucks.

(2) When performing a function described in subsection (1), the person may do the following:

1. Install, service or replace approved propane or natural gas carburation engine components, tubing, hoses, tanks and other related equipment for vehicles that operate on gaseous fuels.
2. Purge and pressure test the related equipment and systems to ensure that they do not leak.
3. Purge propane or natural gas containers and lines of air and moisture.
4. Conduct visual inspections of gas tanks and carburation equipment for internal combustion engines on vehicles that are powered by propane or natural gas.

20. (1) A person who holds a GP certificate may,

- (a) install and repair pipe and tubing that supplies gas in a vapour state to an appliance; and
- (b) alter, purge, test, repair, service or remove gas piping or tubing systems for natural gas and propane gas in the vapour state,

but the person shall not weld piping or tubing unless he or she is qualified to do so under the *Boilers and Pressure Vessels Act* and unless he or she does the welding in accordance with a procedure approved under that Act.

(2) When performing a function described in subsection (1), the person may do the following:

1. Install, alter, purge and test valves, regulators or accessories connected to an appliance downstream of the natural gas meter or propane vapour service valve.
2. Disconnect and reconnect appliances at the gas piping or tubing to carry out necessary plumbing or steam repairs.
3. Connect gas piping or tubing to newly-installed or replacement natural gas or propane gas appliances.

21. A person who holds an IMT certificate may install, purge, activate, repair, service or remove,

- (a) an appliance fuelled by natural gas or propane in the vapour state; and
- (b) equipment, accessories or components forming part of the appliance,

if the appliance is located on the premises of his or her employer.

22. (1) A person who holds a DA certificate may install, alter, purge, activate, repair, service or remove a vented refrigerator and its equipment or any unvented residential natural gas or propane gas appliance with an input of 100,000 Btuh or less, other than a construction heater, and its equipment.

(2) When performing a function described in subsection (1), the person may do the following:

1. Install, test, activate, alter, purge, service, repair or remove any piping or tubing or component in a piping or tubing system to an unvented residential appliance or vented refrigerator downstream of the natural gas meter or propane vapour service valve.

2. Maintain, service or replace a mechanical or electrical component or moisture duct or accessory that forms part of an unvented residential appliance or vented refrigerator and that is essential to the appliance's operation.
3. Perform the tasks that are necessary to replace controls and components that form part of an unvented residential appliance or vented refrigerator and that is essential to the appliance's operation.
4. Perform the tasks that are necessary to replace an accessory that forms part of an unvented residential appliance or vented refrigerator and that is essential to the appliance's operation.
5. Service and replace electrical switches, fuses, components and control wiring directly related to the operation of an unvented residential appliance or vented refrigerator.

(3) The person shall not perform electrical work other than that described in subsection (2) unless he or she holds a certificate of qualification as an electrician issued under the *Trades Qualification and Apprenticeship Act*.

23. A person who holds a PPO-1 certificate may perform the following functions:

1. Transfer propane to and from tank cars, cargo liners, tank trucks, filling plants and container refill centres.
2. Fill containers and operate propane transfer equipment in a filling plant or container refill centre.

24. A person who holds a PPO-2 certificate may perform the following functions:

1. Transfer propane to and from tank trucks, filling plants and container refill centres.
2. Fill containers and operate propane transfer equipment in a filling plant or container refill centre.

25. A person who holds a PPO-3 certificate may fill containers and operate propane transfer equipment in a filling plant or container refill center.

26. A person who holds a PCI-1 certificate may examine containers and shall follow the procedures described in the pamphlet entitled "Standards for Visual Inspection of Steel Compressed Gas Cylinders", sixth edition, dated 1984 and published by the Compressed Gas Association, Incorporated.

27. A person who holds a PTO-1 certificate may,

- (a) operate a propane tank truck or a vehicle that tows a cargo liner;
- (b) operate propane handling equipment to transfer propane to and from tank trucks, cargo liners, filling plants and container refill centres; and
- (c) fill containers on the premises of end-users.

28. (1) A person who holds an OBT-1 certificate may install, inspect, alter, purge, activate, repair, service or remove an oil-fired appliance and the accessories that form a part of the appliance assembly whether they are attached to it directly or remotely.

(2) When performing a function described in subsection (1), the person may perform all the functions that the holder of an OBT-2 certificate may perform.

29. (1) A person who holds an OBT-2 certificate may install, alter, purge, repair, activate, service or remove an oil-fired appliance with an input not greater than 7 U.S. gallons per hour and the accessories that form a part of the appliance assembly whether they are attached to it directly or remotely.

(2) When performing a function described in subsection (1), the person may do the following:

1. Install, repair, service, activate, remove or alter the piping or tubing supply system of an appliance or a component in the system.
2. Install, repair, service, activate, remove or alter any vent, vent connector, draft control device or other component in an appliance venting system.
3. Disconnect and reconnect not more than 5 feet of water piping, measured horizontally, in order to exchange, service or install an approved appliance and carry out the replacement necessary to complete the reconnection of controls and components forming part of the appliance.
4. Maintain, service or replace a mechanical or electrical component or accessory forming part of an appliance or system or that is essential to its operation.
5. Perform the tasks that are necessary to replace controls and components forming part of an appliance or system and that are essential to its operation, whether they are attached to it directly or remotely.
6. Install, repair, service and maintain electrical wiring for oil-fired appliances from an existing branch circuit containing over current protection. However, the person shall not run wiring back to the panel or perform any other type of electrical work relating to the wiring of the appliance unless he or she holds a certificate of qualification as an electrician issued under the *Trades Qualification and Apprenticeship Act*.
7. Service and replace electrical switches, fuses and components that are directly related to the operation of an appliance and system.
8. Install, repair, service, remove or replace the plenum connection or components forming part of the plenum connection in order to complete the installation of an oil-fired appliance. However, the person shall not perform any sheet metal work beyond the plenum connection unless he or she holds a certificate of qualification as a sheet metal worker issued under the *Trades Qualification and Apprenticeship Act*.
9. Install, repair, alter, purge, service or remove above ground tanks with a capacity not greater than 5,000 litres.

30. (1) A person who holds an OBT-3 certificate may clean, lubricate or reactivate an appliance and may clean, remove and replace a flue pipe or the barometric damper.

(2) Under the supervision of a person with an OBT-1 or OBT-2 certificate, a person who holds an OBT-3 certificate may,

- (a) work on an oil-fired appliance with an input not greater than 7 U.S. gallons per hour; and
- (b) work on the oil burner, controls or accessories that form a part of the appliance assembly whether they are attached to it directly or remotely.

31. A person who holds an OPI certificate may examine a fuel oil pipeline to determine whether it complies with the requirements of the Act and regulations.



## EXEMPTIONS

32. (1) A person is exempt from section 14 of the Act with respect to the following activities:

1. Installing or servicing an appliance in a detached dwelling owned and occupied in whole or in part by the person. However, the person shall not activate a newly-installed appliance until a person who holds an appropriate certificate determines that the appliance and its installation comply with the requirements of the Act and regulations.
2. Installing, activating or servicing a portable appliance for his or her own use.
3. Activating an appliance in accordance with the certified lighting instructions of its manufacturer,
  - i. if the appliance was initially installed and activated by a person who holds an appropriate certificate, and
  - ii. if the appliance has been maintained in a safe working condition.
4. Transferring propane from one container to another at his or her place of business for his or her own use.
5. Transferring propane from one container to another at his or her employer's place of business for use by the employer or by the person. However, the person must be sufficiently knowledgeable and competent to transfer propane safely. The person must have written evidence from, or accepted by, his or her employer to that effect.
6. Activating a construction heater with an input of less than 250,000 Btuh and connecting it to or disconnecting it from piping, tubing or a container. However, the person must be sufficiently knowledgeable and competent to do so. The person must have written evidence from, or accepted by, his or her employer to that effect.
7. Constructing new propane vehicles for a manufacturer of propane vehicles on the manufacturer's premises.
8. Servicing, repairing or replacing any part of a propane vehicle other than its propane fuel system.

(2) An employee of a natural gas distributor who is acting in the course of his or her employment is exempt from section 14 of the Act when he or she is shutting off appliances, turning off gas service, reactivating gas service to a dwelling unit and relighting appliances installed in a dwelling unit. However, the employee is exempted only if he or she has received a training course on doing so from his or her employer.

(3) For the purposes of this section,

"servicing" does not include performing routine maintenance.

## TRANSITION

33. (1) This section and section 34 apply with respect to the renewal of a certificate issued under the Act before September 1, 1996 that is in effect on September 1, 1996. However, they do not apply with respect to a PPO-1, PPO-3, PCI-1, PTO-1 or OPI certificate.

(2) A person who holds a certificate to which this section applies may perform the functions he or she was authorized to perform under the certificate on August 31, 1996 and may do so until the certificate expires and a certificate referred to in subsection 1 (1) is issued.

(3) This section is revoked on September 1, 1999.

34. (1) If a person wishes to renew a GAI-1, GAI-2, GFS-1 or GFM-1 certificate, the following certificate may be issued as the renewal:

1. For renewal of a GAI-1 certificate, a GP certificate.
2. For renewal of a GAI-2 certificate, a G.3 certificate.
3. For renewal of a GFS-1 certificate, a DA certificate.
4. For renewal of a GFM-1 certificate, an IMT certificate.

(2) If a person wishes to renew his or her certificate as a category II oil burner mechanic, an OBT-1 certificate may be issued as the renewal.

(3) If a person wishes to renew his or her certificate as a Category III oil burner mechanic, an OBT-2 certificate may be issued as the renewal.

(4) If a person wishes to renew a GAF-1 certificate, a G.1 certificate may be issued as the renewal,

(a) if the person holds a PFT-1, PFT-2, PMH-1, PCH-1, PCH-2, PIV-1, PAV-1 or PAV-2 certificate as described in O.Reg. 250/94 ("Propane Storage, Handling and Utilization") as it reads on August 31, 1996; or

(b) if the person has successfully completed a training program approved by the Director with respect to propane gas appliances and systems.

(5) If the person wishing to renew a GAF-1 certificate is not eligible for a certificate under subsection (4), he or she may be issued as a renewal a G.1 certificate bearing the additional designation "NG". The holder of a G.1 NG certificate is entitled to carry out work on natural gas appliances and systems only.

(6) If a person wishes to convert a GAF-1 (T) certificate to a G.1 certificate, the following requirements must be met:

1. The person must hold a certificate described in clause (4) (a) or must have successfully completed a training program described in clause (4) (b).
2. The person must have worked within the scope of a G.1 certificate for at least two years or 2,000 hours. The person must have worked at least 250 hours on gas-fired appliances with an input greater than 400,000 Btuh.
3. The person must submit a completed declaration of work experience in a format acceptable to the Director. The declaration must detail the nature of the person's experience doing work described in paragraph 2.

(7) If the person wishing to convert a GAF-1 (T) certificate is not eligible for a G.1 certificate under subsection (6), he or she may be issued a G.2 certificate.

(8) If a person wishes to renew a GAF-2 certificate, a G.2 certificate may be issued as the renewal if the person holds a certificate described in clause (4) (a) or has successfully completed a training program described in clause (4) (b).

(9) If a person wishing to renew a GAF-2 certificate is not eligible for a G.2 certificate under subsection (8), he or she may be issued as a renewal a G.2 certificate bearing the additional designation "NG". The holder of a G.1 NG certificate is entitled to carry out work on natural gas appliances and systems only.

(10) A G.1 NG certificate and a G.2 NG certificate are not renewable.



(11) If a person wishes to convert a GAF-2 (T) certificate to a G.2 certificate, the following requirements must be met:

1. The person must hold a certificate described in clause (4) (a) or have successfully completed a training program described in clause (4) (b).
2. The person must have worked within the scope of a G.2 certificate for at least two years or 4,000 hours. The person must have worked on gas-fired appliances with an input not greater than 400,000 Btuh either under the supervision of a person with a G.1 or G.2 certificate.
3. The person must submit a completed declaration of work experience in a format acceptable to the Director. The declaration must detail the nature of the person's experience doing work described in paragraph 2.

(12) If the person wishing to convert a GAF-2 (T) certificate is not eligible for a G.2 certificate under subsection (11), he or she may be issued a G.3 certificate.

(13) If a person wishes to convert his or her temporary certificate as a category II oil burner mechanic to an OBT-2 certificate, the following requirements must be met:

1. The person must have worked within the scope of an OBT-2 certificate for at least two years or 4,000 hours. The person must have worked on oil-fired appliances with an input not greater than 7 U.S. gallons per hour under the supervision of a person with an OBT-1 certificate.
2. The person must submit a completed declaration of work experience in a format acceptable to the Director. The declaration must detail the nature of the person's experience doing work described in paragraph 1.

(14) If the person wishing to convert his or her temporary certificate as a category II oil burner mechanic is not eligible for an OBT-2 certificate under subsection (13), he or she may be issued an OBT-3 certificate.

(15) If a person wishes to renew a PFT-1, PFT-2, PCH-1, PCH-2, PMH-1, PIV-1, PAV-1 or PAV-2 certificate, the following certificate may be issued as the renewal:

1. For renewal of a PFT-1 certificate, an LP certificate.
2. For renewal of a PFT-2 certificate, an LP certificate.
3. For renewal of a PCH-1 certificate, a G.3 certificate.
4. For renewal of a PCH-2 certificate, a G.3 certificate.
5. For renewal of a PMH-1 certificate, a G.3 certificate.
6. For renewal of a PIV-1 certificate, an ICE-IV certificate.
7. For renewal of a PAV-1 certificate, an ICE-P certificate.
8. For renewal of a PAV-2 certificate, an ICE-P certificate.

(16) If a person wishes to renew a PFT-1 certificate, a G.1 certificate may be issued as the renewal,

- (a) if the person holds any of the certificates described in Regulation 331 of the Revised Regulations of Ontario, 1990 ("Gas Utilization Code") as it reads on August 31, 1996; or

- (b) if the person has successfully completed a training program approved by the Director with respect to natural gas appliances and systems.

(17) If the person wishing to renew a PFT-1 certificate is not eligible for a certificate under subsection (16), he or she may be issued as a renewal a G.1 certificate bearing the additional designation "P". The holder of a G.1 P certificate is entitled to carry out work on propane appliances and systems only.

(18) If a person wishes to renew a PFT-2 certificate, a G.2 certificate may be issued as the renewal if the person holds a certificate described in clause (16) (a) or has successfully completed a training program described in clause (16) (b).

(19) If the person wishing to renew a PFT-2 certificate is not eligible for a certificate under subsection (18), he or she may be issued as a renewal a G.2 certificate bearing the additional designation "P". The holder of a G.2 P certificate is entitled to carry out work on propane appliances and systems only.

(20) A G.1 P certificate and a G.2 P certificate are not renewable.

(21) This section is revoked on September 1, 1999.

#### COMMENCEMENT

35. This Regulation comes into force on September 1, 1996.

31/96

#### ONTARIO REGULATION 349/96 made under the ENERGY ACT

Made: July 17, 1996  
Filed: July 19, 1996

Amending Reg. 329 of R.R.O. 1990  
(Fuel Oil Code)

Note: Regulation 329 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Sections 20, 21, 22 and 23 of Regulation 329 of the Revised Regulations of Ontario, 1990 are revoked.

2. (1) Subsection 27 (1) of the Regulation is amended by striking out "registration or certificate" in the last line and substituting "or registration".

(2) Subsection 27 (2) of the Regulation is amended by striking out "certificate in the first line and by striking out "registration or certificate" in the second line and substituting "or registration".

(3) Subsection 27 (3) of the Regulation is amended by striking out "registration or certificate" in the second line and substituting "or registration".

(4) Subsection 27 (4) of the Regulation is amended by striking out "certificate" in the first line.

3. (1) Item 3 of the Schedule to the Regulation is revoked.

(2) Item 4 of the Schedule to the Regulation is amended by striking out "registration or certificate" under the heading "Description" and substituting "or registration".

(3) Item 5 of the Schedule to the Regulation is amended by striking out "registration or certificate" under the heading "Description" and substituting "or registration".

4. This Regulation comes into force on September 1, 1996.

31/96

**ONTARIO REGULATION 350/96**  
made under the  
**ENERGY ACT**

Made: July 17, 1996  
Filed: July 19, 1996

Amending Reg. 331 of R.R.O. 1990  
(Gas Utilization Code)

Note: Regulation 331 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Subsection 3 (3) of Regulation 331 of the Revised Regulations of Ontario, 1990 is amended by striking out "person who holds a valid certificate under section 13" in the first line and substituting "person who holds a certificate under the Act for the handling or use of gas".

(2) Subsection 3 (4) of the Regulation is amended by striking out "person who holds a valid certificate under section 13" in the first line and substituting "person who holds a certificate under the Act for the handling or use of gas".

2. Subsection 6 (5) of the Regulation is revoked and the following substituted:

(5) An inspection under clause 4 (e) shall be carried out by a person who holds a valid certificate as a gas technician I or an industrial maintenance gas technician.

3. Sections 13 and 14 of the Regulation are revoked.

4. Section 15 of the Regulation is revoked and the following substituted:

15. (1) This section applies if a person who is exempted from section 14 of the Act installs an appliance or works on an installed appliance in his or her own single-family detached dwelling.

(2) The person shall promptly notify the gas distributor after he or she completes the installation or work.

(3) The gas distributor shall inspect the installation or work to determine whether it complies with the requirements of the Act and regulations.

5. Section 16 of the Regulation is revoked.

6. (1) Subsections 17 (1), (2) and (2.1) of the Regulation are amended by striking out "or certificate" wherever it appears.

(2) Subsection 17 (3) of the Regulation is revoked.

(3) Subsection 17 (3.1) of the Regulation is amended by striking out "or certificate" in the first line.

7. (1) Item 2 of the Schedule to the Regulation is revoked.

(2) Item 3 of the Schedule to the Regulation is amended by striking out "certificate or" under the heading "Description".

(3) Item 4 of the Schedule to the Regulation is amended by striking out "a certificate or" under the heading "Description".

8. This Regulation comes into force on September 1, 1996.

31/96

**ONTARIO REGULATION 351/96**  
made under the  
**ENERGY ACT**

Made: July 17, 1996  
Filed: July 19, 1996

Amending O. Reg. 250/94  
(Propane Storage, Handling and Utilization)

Note: Ontario Regulation 250/94 has not previously been amended.

1. Section 10 of Ontario Regulation 250/94 is revoked.

2. Subsections 16 (4) to (6) of the Regulation are revoked.

3. Subsections 17 (3) and (4) of the Regulation are revoked.

4. (1) Paragraph 2 of the Schedule to the Regulation is revoked.

(2) Paragraph 6 of the Schedule to the Regulation is amended by striking out "certificate" in the first line.

(3) Paragraph 7 of the Schedule to the Regulation is amended by striking out "certificate" in the first line.

5. This Regulation comes into force on September 1, 1996.

31/96

**ONTARIO REGULATION 352/96**  
made under the  
**FAMILY BENEFITS ACT**

Made: July 17, 1996  
Filed: July 19, 1996

Amending Reg. 366 of R.R.O. 1990  
(General)

Note: Regulation 366 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Clause (e) of the definition of "liquid assets" in subsection 1 (1) of Regulation 366 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(e) the proceeds of a loan received by a student and guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or of a loan received by a student under the *Canada Student Financial Assistance Act*, so long as the student remains in attendance in the program of study for which it is intended,

(e.1) an award or grant made by the Ministry of Education and Training to a student enrolled in a post-secondary institution so long as the student remains in attendance in the program of study for which it is intended,



(2) Subparagraph i of paragraph 4 of subsection 1 (4) of the Regulation is revoked and the following substituted:

- i. recognized by the Ministry of Education and Training as an educational institution for the purposes of the *Canada Student Financial Assistance Act*, or

.....

2. Section 8 of the Regulation is amended by adding the following subsections:

(2) The proceeds of a loan guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or of a loan under the *Canada Student Financial Assistance Act* is a financial resource to which an applicant or recipient may be entitled if he or she is in full time attendance at a post-secondary institution.

(3) The Director shall determine that an applicant or recipient is not eligible for a benefit if he or she is in full time attendance at a post-secondary institution and fails to make reasonable efforts to obtain a loan guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or a loan under the *Canada Student Financial Assistance Act*.

(4) Subsections (2) and (3) do not apply with respect to an applicant or recipient to whom section 31 applies.

(5) Subsection (3) does not apply with respect to,

- (a) a benefit paid to a foster parent on behalf of a foster child; or
- (b) a benefit under section 32 or 38.

3. Paragraph 15 of subsection 12 (5) of the Regulation is amended by striking out "*Unemployment Insurance Act (Canada)*" in the third line and substituting "*Employment Insurance Act (Canada)*".

4. (1) Subparagraph i of paragraph 1 of subsection 13 (2) of the Regulation is amended by striking out "*unemployment insurance*" in the last two lines and substituting "*employment insurance*".

(2) Paragraph 16 of subsection 13 (2) of the Regulation is amended by striking out "*the Unemployment Insurance Act (Canada)*" in the third line and substituting "*the Employment Insurance Act (Canada)*".

(3) Paragraphs 35, 37 and 38 of subsection 13 (2) of the Regulation are revoked and the following substituted:

35. With respect to a loan guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or a loan under the *Canada Student Financial Assistance Act*, that part of the proceeds received by or on behalf of a student that relates to tuition, other compulsory fees, books or instructional supplies for the purposes of the definition of "education costs" in section 1 of Regulation 774 of the Revised Regulations of Ontario, 1990.

36. All of the proceeds of a loan guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or a loan under the *Canada Student Financial Assistance Act*, where those proceeds are received by or on behalf of a student who is,

- i. a part time student,
- ii. an applicant or recipient to whom section 31 applies or his or her spouse, or

- iii. a dependent child or a foster child where the child is not a sole support student as defined in subsection 1 (1) of Regulation 774 of the Revised Regulations of Ontario, 1990.

37. An award or grant made by the Ministry of Education and Training to a student enrolled in a post-secondary institution.

(4) Subsection 13 (8) of the Regulation is revoked and the following substituted:

(8) Any of the following payments that apply to a number of months shall be averaged over that number of months:

- 1. A payment that is included in income under paragraph 2, 3, 4, 5, 6, 7, 13 or 16 of subsection (2).
- 2. A payment that is,
  - i. included in income under paragraph 16.2 of subsection (2),
  - ii. made with respect to a loan guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or a loan under the *Canada Student Financial Assistance Act*, and
  - iii. not exempt from income under paragraph 35 or 36 of subsection (2).

5. A reference in the Regulation to "*employment insurance*" or "*the Employment Insurance Act (Canada)*" shall be deemed to include a reference to "*unemployment insurance*" or "*the Unemployment Insurance Act (Canada)*" so long as and to the extent that the *Unemployment Insurance Act (Canada)* continues to have effect.

6. This Regulation comes into force on August 1, 1996.

31/96

## ONTARIO REGULATION 353/96 made under the GENERAL WELFARE ASSISTANCE ACT

Made: July 17, 1996

Filed: July 19, 1996

Amending Reg. 537 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 537 has been amended by Ontario Regulation 84/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. The definition of "*liquid assets*" in subsection 1 (1) of Regulation 537 of the Revised Regulations of Ontario, 1990 is amended by striking out "*or*" at the end of clause (f) and by adding the following clauses:

- (h) the proceeds of a loan received by a student and guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or of a loan received by a student under the *Canada Student Financial Assistance Act*, so long as the student remains in attendance in the program of study for which it is intended, or
- (i) an award or grant made by the Ministry of Education and Training to a student enrolled in a post-secondary institution so long as the student remains in attendance in the program of study for which it is intended;

2. Section 4 of the Regulation is amended by adding the following subsections:



(4) For the purposes of clause (3) (b), the proceeds of a loan guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or of a loan under the *Canada Student Financial Assistance Act* is a financial resource to which an applicant or recipient or his or her spouse may be entitled if he or she is in full time attendance at a post-secondary institution.

(5) The welfare administrator shall determine that an applicant or recipient is not eligible for assistance if the applicant or recipient or his or her spouse is in full time attendance at a post-secondary institution and fails to make reasonable efforts to obtain a loan guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or a loan under the *Canada Student Financial Assistance Act*.

(6) Subsection (5) does not apply with respect to assistance paid to a foster parent on behalf of a foster child.

3. (1) Subsection 7 (1) of the Regulation is amended by striking out "and (2.1)" wherever it appears.

(2) Subsection 7 (2.1) of the Regulation is revoked.

4. (1) Subparagraph i of paragraph 1 of subsection 15 (2) of the Regulation is amended by striking out "unemployment insurance" where it appears and substituting "employment insurance".

(2) Paragraph 15 of subsection 15 (2) of the Regulation is amended by striking out "the *Unemployment Insurance Act* (Canada)" in the third line and substituting "the *Employment Insurance Act* (Canada)".

(3) Paragraphs 33 and 35 of subsection 15 (2) of the Regulation are revoked and the following substituted:

33. With respect to a loan guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or a loan under the *Canada Student Financial Assistance Act*, that part of the proceeds received by or on behalf of a student that relates to tuition, other compulsory fees, books or instructional supplies for the purposes of the definition of "education costs" in section 1 of Regulation 774 of the Revised Regulations of Ontario, 1990.

34. All of the proceeds of a loan guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or a loan under the *Canada Student Financial Assistance Act*, where those proceeds are received by or on behalf of a student who is,

- i. a part time student,
- ii. a dependent adult who is not a spouse or a sole support student as defined in subsection 1 (1) of Regulation 774 of the Revised Regulations of Ontario, 1990,

iii. a foster child who is not a sole support student as defined in subsection 1 (1) of Regulation 774 of the Revised Regulations of Ontario, 1990.

35. An award or grant made by the Ministry of Education and Training to a student enrolled in a post-secondary institution.

(4) Subsection 15 (6) of the Regulation is amended by striking out "unemployment insurance" in the third line and substituting "employment insurance".

(5) Subsection 15 (7) of the Regulation is revoked and the following substituted:

(7) Any of the following payments that apply to a number of months shall be averaged over that number of months:

- 1. A payment that is included in income under paragraph 2, 3, 4, 5, 6, 7, 10 or 15 of subsection (2).
- 2. A payment that is,
  - i. included in income under paragraph 15.2 of subsection (2),
  - ii. made with respect to a loan guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or a loan under the *Canada Student Financial Assistance Act*, and
  - iii. not exempt from income under paragraph 33 or 34 of subsection (2).

5. (1) Subparagraph ii of paragraph 1 of subsection 24 (3) of the Regulation is amended by striking out "unemployment insurance" in the second line and substituting "employment insurance".

(2) Clause 24 (5) (e) of the Regulation is amended by striking out "unemployment insurance" in the first and second lines and substituting "employment insurance".

6. A reference in the Regulation to "employment insurance" or "the *Employment Insurance Act* (Canada)" shall be deemed to include a reference to "unemployment insurance" or "the *Unemployment Insurance Act* (Canada)" so long as and to the extent that the *Unemployment Insurance Act* (Canada) continues to have effect.

7. This Regulation comes into force on August 1, 1996.



# Publications under the Regulations Act

## Publications en vertu de la Loi sur les règlements

1996—08—10

### ONTARIO REGULATION 354/96

made under the  
**HIGHWAY TRAFFIC ACT**

Made: July 17, 1996  
Filed: July 22, 1996

Amending Reg. 576 of R.R.O. 1990  
(Commercial Vehicle Operator's Registration Certificates)

Note: Regulation 576 has not previously been amended.

1. The heading before section 2 and section 2 of Regulation 576 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

2. An application for a CVOR certificate shall be in Ministry of Transportation Form SR-LH-106 95-06.

2. Form 1 of the Regulation is revoked.

32/96

### ONTARIO REGULATION 355/96

made under the  
**HIGHWAY TRAFFIC ACT**

Made: July 17, 1996  
Filed: July 22, 1996

Amending Reg. 597 of R.R.O. 1990  
(Gross Vehicle Weights)

Note: Regulation 597 has not previously been amended.

1. (1) Section 1 of Regulation 597 of the Revised Regulations of Ontario, 1990 is amended by inserting the following definition:

"aggregate vehicle" means a vehicle or combination of vehicles that is designed for dumping or spreading of sand, gravel, crushed or uncut rock, asphalt, slag, rubble, or any mixture thereof and that is transporting a load consisting mostly of any of these materials;

(2) The definitions of "front axle weight", "inter-vehicle-unit distance" and "intra-vehicle-unit distance" in section 1 of the Regulation are revoked and the following substituted:

"front axle weight" for,

(a) an aggregate vehicle means,

(i) for a single front axle, the maximum weight permitted under section 116 of the Act for a single axle,

(ii) for a dual front axle, one-half the maximum weight permitted under section 116 of the Act for a dual axle, and

(iii) for a triple front axle, one-third the maximum weight permitted under section 116 of the Act for a triple axle, and

(b) a vehicle or combination of vehicles that is not an aggregate vehicle means,

(i) for a single front axle, the axle unit weight on the front axle, or, if that weight is more than the maximum weight permitted for a single axle under section 116 of the Act, the maximum weight permitted for a single axle under section 116 of the Act;

(ii) for a dual front axle, one-half of the axle unit weight on the dual front axle, or, if that weight is more than one-half of the maximum weight permitted for a dual axle under section 116 of the Act, one-half of the maximum weight permitted for a dual axle under section 116 of the Act;

(iii) for a triple front axle, one-third of the axle unit weight for the triple front axle, or, if that weight is more than one-third of the maximum weight permitted for a triple axle under section 116 of the Act, one-third of the maximum weight permitted for a triple axle under section 116 of the Act;

"inter-vehicle-unit distance" for a combination of vehicles means the lesser of,

(a) the distance between the centres of the last axle of the motor vehicle or road building machine and the first axle of the towed vehicle, and

(b) the distance between the centres of the last axle of the first towed vehicle and the first axle of the second towed vehicle;

"intra-vehicle-unit distance" for a five or six axle vehicle without a towed vehicle means the greater of,

(a) the distance between the centres of the second and third axles from the front of the vehicle, and

(b) the distance between the centres of the third and fourth axles from the front of the vehicle;

2. Section 2 of the Regulation is revoked and the following substituted:

2. (1) For the purposes of section 118 of the Act and subsection 3 (2) of the Regulation, the maximum allowable gross weight for a vehicle or combination of vehicles with,

1. three axles is as prescribed in Table 1;

2. four axles is as prescribed in Table 2;

3. five axles, and having an inter-vehicle-unit distance or intra-vehicle-unit distance of less than 2.40 metres, is as prescribed in Table 3;

4. five axles, and having an inter-vehicle-unit distance or intra-vehicle-unit distance of 2.40 metres to less than 2.70 metres, is as prescribed in Table 4;



5. five axles, and having an inter-vehicle-unit distance or intra-vehicle-unit distance of 2.70 metres to less than 3.00 metres, is as prescribed in Table 5;
  6. five axles, and having an inter-vehicle-unit distance or intra-vehicle-unit distance of 3.00 metres to less than 3.30 metres, is as prescribed in Table 6;
  7. five axles, and having an inter-vehicle-unit distance or intra-vehicle-unit distance of 3.30 metres to less than 3.60 metres, is as prescribed in Table 7;
  8. five axles, and having an inter-vehicle-unit distance or intra-vehicle-unit distance of 3.60 metres or more, is as prescribed in Table 8;
  9. six axles, and having an inter-vehicle-unit distance or intra-vehicle-unit distance of less than 2.10 metres, is as prescribed in Table 9;
  10. six axles, and having an inter-vehicle-unit distance or intra-vehicle-unit distance of 2.10 metres to less than 2.40 metres, is as prescribed in Table 10;
  11. six axles, and having an inter-vehicle-unit distance or intra-vehicle-unit distance of 2.40 metres to less than 2.70 metres, is as prescribed in Table 11;
  12. six axles, and having an inter-vehicle-unit distance or intra-vehicle-unit distance of 2.70 metres to less than 3.00 metres, is as prescribed in Table 12;
  13. six axles, and having an inter-vehicle-unit distance or intra-vehicle-unit distance of 3.00 metres to less than 3.30 metres, is as prescribed in Table 13;
  14. six axles, and having an inter-vehicle-unit distance or intra-vehicle-unit distance of 3.30 metres to less than 3.60 metres, is as prescribed in Table 14;
  15. six axles, and having an inter-vehicle-unit distance or intra-vehicle-unit distance of 3.60 metres or more, is as prescribed in Table 15;
  16. seven axles, and having an inter-vehicle-unit distance of less than 2.10 metres, is as prescribed in Table 16;
  17. seven axles, and having an inter-vehicle-unit distance of 2.10 metres to less than 2.40 metres, is as prescribed in Table 17;
  18. seven axles, and having an inter-vehicle-unit distance of 2.40 metres to less than 2.70 metres, is as prescribed in Table 18;
  19. seven axles, and having an inter-vehicle-unit distance of 2.70 metres to less than 3.00 metres, is as prescribed in Table 19;
  20. seven axles, and having an inter-vehicle-unit distance of 3.00 metres to less than 3.30 metres, is as prescribed in Table 20;
  21. seven axles, and having an inter-vehicle-unit distance of 3.30 metres to less than 3.60 metres, is as prescribed in Table 21;
  22. seven axles, and having an inter-vehicle-unit distance of 3.60 metres or more, is as prescribed in Table 22;
  23. eight or more axles, and having an inter-vehicle-unit distance of less than 2.10 metres, is as prescribed in Table 23;
  24. eight or more axles, and having an inter-vehicle-unit distance of 2.10 metres to less than 2.40 metres, is as prescribed in Table 24;
  25. eight or more axles, and having an inter-vehicle-unit distance of 2.40 metres to less than 2.70 metres, is as prescribed in Table 25;
  26. eight or more axles, and having an inter-vehicle-unit distance of 2.70 metres to less than 3.00 metres, is as prescribed in Table 26;
  27. eight or more axles, and having an inter-vehicle-unit distance of 3.00 metres to less than 3.30 metres, is as prescribed in Table 27;
  28. eight or more axles, and having an inter-vehicle-unit distance of 3.30 metres to less than 3.60 metres, is as prescribed in Table 28;
  29. eight or more axles, and having an inter-vehicle-unit distance of 3.60 metres or more, is as prescribed in Table 29.
- (2) For the purposes of section 118 of the Act and subsection 3 (2) of the Regulation and despite paragraphs 3 to 8 of subsection 2 (1) of the Regulation, the maximum allowable gross vehicle weight for a combination of vehicles consisting of a commercial motor vehicle with two single axles, a semi-trailer with one axle and a trailer with two single axles is as prescribed in Table 8.
- (3) For the purposes of section 118 of the Act and subsection 3 (2) of the Regulation and despite paragraphs 16 to 29 of subsection 2 (1) of the Regulation, the maximum allowable gross vehicle weight for a seven axle vehicle without a towed vehicle is as prescribed in Table 16 and for an eight or more axle vehicle without a towed vehicle is as prescribed in Table 23.
- (4) If the gross weight transmitted to the highway by the rearmost vehicle of a combination of vehicles is not at least 5 per cent of the gross weight of the combination of vehicles, the axles of the rearmost vehicle are not included in calculating the base length and the number of axles when determining the maximum allowable gross weight of the combination of vehicles under subsection (1), but the gross weight of the rearmost vehicle is added to the maximum allowable gross weight of the combination of vehicles, as determined by the applicable table.
- (5) If a calculation for a maximum gross allowable weight to which subsection (4) applies produces a result greater than 63,500 kilograms, the maximum allowable gross weight is 63,500 kilograms.
3. (1) Aggregate vehicles are designated as a class of vehicles that is exempt from clauses 118 (a) and (b) of the Act.
- (2) An aggregate vehicle shall not be operated on a Class A Highway if the gross vehicle weight exceeds, in the case of a two axle aggregate vehicle, the result when 1,000 kilograms is subtracted from, or, in the case of an aggregate vehicle of three or more axles, the result when 1,500 kilograms is subtracted from,
- (a) the maximum weight permitted on the front axle under section 116 of the Act plus the sum of the maximum allowable weights for all other axle units of the vehicle or combination of vehicles as set out in section 116 of the Act;
  - (b) the maximum weight permitted on the front axle under section 116 of the Act plus the sum of the maximum allowable weights for any two axle groups, three axle groups or four axle groups, or any combination thereof, as set out in section 117 of the Act plus the maximum allowable weight for any axle unit or units excluding any axle unit or units that are part of an axle group, as set out in section 116 of the Act; or
  - (c) the maximum allowable gross weight prescribed in section 2.

(3) For the purpose of calculating the maximum allowable gross weight of an aggregate vehicle powered by a tractor, and despite the definition of "front axle weight" in section 1, the front axle weight of the aggregate vehicle shall not exceed 6,500 kilograms.

3. (1) The headings to Tables 9 to 15 of the Regulation are amended by inserting, in each instance, between the second line and third line "(OR INTRA-VEHICLE-UNIT DISTANCE)".

(2) Table 27 of the Regulation is revoked and the following substituted:

VEHICLE WEIGHT TABLE 27

ALLOWABLE GROSS WEIGHT ON A VEHICLE WITH EIGHT OR MORE AXLES (KILOGRAMS)  
INTER-VEHICLE-UNIT DISTANCE, 3.0 METRES TO LESS THAN 3.3 METRES  
FRONT AXLE WEIGHT, (KILOGRAMS)

BASE LENGTH, (METRES)	5 000 or Less	5 001 TO LESS THAN 5 500	5 500 TO LESS THAN 6 000	6 000 TO LESS THAN 6 500	6 500 TO LESS THAN 7 000	7 000 TO LESS THAN 7 500	7 500 TO LESS THAN 8 000	8 000 TO LESS THAN 8 500	8 500 TO LESS THAN 9 000	9 000 TO LESS THAN 9 500	9 500 TO LESS AND INCL 10 000
LESS THAN 16.00	53,100	53,400	53,800	54,300	54,700	55,200	55,700	56,200	56,600	57,100	57,600
16.00 TO LESS THAN 16.25	53,500	53,900	54,300	54,700	55,200	55,700	56,100	56,600	57,100	57,600	58,000
16.25 TO LESS THAN 16.50	54,000	54,400	54,700	55,200	55,700	56,100	56,600	57,100	57,500	58,000	58,500
16.50 TO LESS THAN 16.75	54,400	54,800	55,200	55,700	56,100	56,600	57,100	57,500	58,000	58,500	58,900
16.75 TO LESS THAN 17.00	54,900	55,300	55,600	56,100	56,600	57,100	57,500	58,000	58,500	58,900	59,400
17.00 TO LESS THAN 17.25	55,300	55,700	56,100	56,600	57,000	57,500	58,000	58,500	58,900	59,400	59,900
17.25 TO LESS THAN 17.50	55,800	56,200	56,500	57,000	57,500	58,000	58,500	59,000	59,400	59,900	60,500
17.50 TO LESS THAN 17.75	56,300	56,600	57,000	57,500	58,000	58,500	59,000	59,500	60,000	60,500	61,000
17.75 TO LESS THAN 18.00	56,700	57,100	57,500	58,000	58,500	59,000	59,500	60,000	60,500	61,000	61,500
18.00 TO LESS THAN 18.25	57,200	57,500	57,900	58,400	58,900	59,500	60,000	60,500	61,000	61,500	62,000
18.25 TO LESS THAN 18.50	57,600	58,000	58,400	58,900	59,400	59,900	60,500	61,000	61,500	62,100	62,500
18.50 TO LESS THAN 18.75	58,100	58,400	58,800	59,300	59,900	60,400	61,000	61,500	62,100	62,600	63,000
18.75 TO LESS THAN 19.00	58,600	58,800	59,400	59,700	60,300	60,800	61,400	61,900	62,500	63,000	63,500
19.00 TO LESS THAN 19.25	59,000	59,200	59,800	60,100	60,700	61,200	61,800	62,300	62,900	63,400	63,500
19.25 AND OVER	59,400	59,600	60,200	60,500	61,100	61,600	62,200	62,700	63,300	63,500	63,500



**ONTARIO REGULATION 356/96**made under the  
**ASSESSMENT ACT**

Made: July 17, 1996

Filed: July 23, 1996

Amending O. Reg. 428/95

(Pipe Line Rates under Subsection 25 (16) of the Act—  
Village of Maxville)

Note: Ontario Regulation 428/95 has not previously been amended.

**1. Section 1 of Regulation 428/95 is amended by adding the following subsection:**

(2) Beginning in 1996, the rates set out in the Schedule opposite the size of pipe apply with respect to the assessment for taxation of all pipe lines liable under section 25 of the Act and located in or on the boundary of the following:

1. All municipalities in the County of Hastings.
2. The Town of Campbellford in the County of Northumberland.
3. The townships of Springwater and Tay in the County of Simcoe.
4. The Township of Opasatika in the District of Cochrane.
5. The Espanola Board of Education in the District of Sudbury.

**2. This Regulation shall be deemed to have come into force on December 1, 1995.**

32/96

**ONTARIO REGULATION 357/96**made under the  
**ONTARIO GUARANTEED ANNUAL INCOME ACT**

Made: July 17, 1996

Filed: July 23, 1996

**GUARANTEED INCOME LIMIT****1. In this Regulation,**

"quarter" means a period of three months commencing on the first day of April, July, October or January in any year.

**2.** Commencing October, 1995, the guaranteed income limit, for the purposes of calculations in respect of any quarter, for any beneficiary described in any clause of the definition of "basic monthly income" in section 1 of the Act, shall be the sum of,

- (a) \$996.00;
- (b) 12 times the amount of the maximum pension payable to an individual for a month in the quarter; and
- (c) 12 times the amount of the maximum supplement payable to a single or married individual, as the case may be, for a month in the quarter.

**3. Ontario Regulation 396/95 is revoked.****4. This Regulation shall be deemed to have come into force on October 1, 1995.**

32/96

**ONTARIO REGULATION 358/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: May 15, 1996

Approved: July 17, 1996

Filed: July 24, 1996

**CROP INSURANCE PLAN—APPLES**

**1.** The plan in the Schedule is established for the insurance within Ontario of apples.

**Schedule***Crop Insurance Act (Ontario)*

**1.** This plan may be cited as "The Ontario Crop Insurance Plan for Apples".

**2.** The purpose of this plan is to provide for insurance against a loss in the production of apples resulting from one or more of the perils designated in section 4.

**DEFINITIONS**

**3.** In this plan,

"apples" means all varieties of apples produced in Ontario except crabapples;

"average yield" means the average annual total orchard production of each of fresh apples and juice apples over the preceding six years, as determined by the Commission, and allowing for,

(a) age of trees,

(b) biennial bearing,

(c) tree removal, and

(d) change in acreage;

"fresh apples" means apples for human consumption in a fresh or processed state but does not include apple juice or apple cider;

"juice apples" means apples to be processed into apple juice or apple cider.

**DESIGNATION OF PERILS**

**4. (1)** The following are designated as perils for the purpose of this plan:

1. Drought.
2. Excessive moisture.
3. Freeze injury.
4. Frost.
5. Hail.



6. Unavoidable pollination failure.
7. Excessive wind that results in structural damage to the apple tree bearing the damaged fruit.
8. Adverse weather that causes russetting.

(2) Paragraph 8 of subsection (1) does not apply to a variety of apple known as Russett or Golden Delicious.

#### CROP YEAR

5. The crop year for apples is the period from December 1 in any year to November 30 next following.

#### CONTRACT OF INSURANCE

6. The entire contract of insurance for apples is comprised of,

- (a) the contract of insurance in Form 1;
- (b) the application for insurance;
- (c) the production guarantee report;
- (d) the extended coverage endorsement in Form 2, if any; and
- (e) the extended coverage endorsement in Form 3, if any.

7. An application for insurance shall,

- (a) be in a form provided by the Commission;
- (b) be accompanied by a premium deposit of,

(i) \$100, or

(ii) one-quarter of the premium payment made by the insured person for the previous crop year,

whichever is the greater, or

(iii) an amount to be determined by the Commission; and

(c) be filed with the Commission not later than December 1 in the crop year in respect of which it is made.

#### DURATION OF CONTRACT

8. A contract of insurance is in force for the crop year in respect of which it is made.

#### COVERAGE

9. (1) The coverage provided under a contract of insurance for each of fresh apples and juice apples is the total guaranteed production multiplied by the established price.

(2) The total guaranteed production for each of fresh apples and juice apples is the average yield in pounds, multiplied by the percentage selected by the insured person under subsection (3).

(3) By December 1 in each crop year, an insured person shall select one of the following percentages:

70%  
75%  
80%

(4) If the insured crop is damaged by frost or hail and the actual harvested yield exceeds the average yield, the revised average yield is the sum of the average yield and the percentage of the excess yield selected under subsection (3), allocated to the fresh and juice yields in the same ratio as the average farm yields for fresh and juice apples.

(5) In subsection (4), "revised average yield" means the average yield as it is revised from the average yield of the previous year.

10. The established price is 14 cents per pound for fresh apples and 3.5 cents per pound for juice apples.

11. The maximum indemnity for which the Commission is liable under a contract of insurance is the total of the amounts obtained by multiplying the total guaranteed production determined under section 9 for each of fresh apples and juice apples by the established price per pound determined under section 10.

#### PREMIUMS

12. (1) In the formulas used in this section,

"A" is the surcharge or discount determined in accordance with subsections (4) and (5);

"B" is the number of years the insured person has been enrolled in the plan;

"C" is the insured person's loss to coverage ratio determined by the Commission;

"D" is the plan's loss to coverage ratio determined by the Commission; and

"E" is the base premium rate determined from Column 2 of the Table.

TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Percentage Selected by Insured	Base Premium Rate	Base Premium Rate with Hail Rider
70	10.2%	12.8%
75	12.0%	15.0%
80	14.3%	17.8%

(2) The premium payable in the crop year is calculated by multiplying the coverage as determined under section 9 by the premium rate as determined under subsection (3).

(3) The premium rate is determined by the following formula:

$$\text{Premium rate} = E (1 + A)$$

(4) "A" is determined by the following formula:

$$A = \frac{B \left( \frac{C}{D} - 1 \right)}{25}$$

(5) If the calculation in subsection (4) results in "A" being greater 0.25, "A" shall be deemed to be 0.25 or if the calculation in subsection (4) results in "A" being less than minus 0.25, "A" shall be deemed to be minus 0.25.

(6) The premium determined in accordance with subsections (1) to (5) includes payments in respect of premiums made by the Province of Ontario and the Government of Canada under the *Crop Insurance Act* (Canada).

(7) Despite subsections (1) to (5), the minimum premium payable by an insured person in each crop year is \$100.

13. If a premium is payable in respect of a crop year, the insured person shall pay the premium, less the premium deposit, to the Commission at the time the production guarantee report prescribed by section 14 is returned to the Commission.

PRODUCTION GUARANTEE REPORT

14. (1) The Commission shall prepare and deliver a production guarantee report to each insured person in each crop year.

(2) The insured person shall sign a copy of the report and return it to the Commission.

**2. Regulation 216 of the Revised Regulations of Ontario, 1990, and Ontario Regulations 418/92, 177/93, 84/94 and 6/95 are revoked.**

## Form 1

## Crop Insurance Act (Ontario)

## CONTRACT OF INSURANCE

Between:

The Crop Insurance Commission of Ontario, hereinafter referred to as the "COMMISSION",

OF THE FIRST PART

- and -

.....  
of the.....of.....  
in the County (or as the case may be) of.....  
hereinafter referred to as the "INSURED PERSON",

OF THE SECOND PART

WHEREAS the insured person has applied for crop insurance on apples under The Ontario Crop Insurance Plan for Apples;

NOW THEREFORE, subject to the Crop Insurance Act (Ontario) and the regulations made thereunder, where in a crop year the insured person suffers a loss in the production of apples resulting from one or more of the perils designated in the plan, the Commission, subject to the terms and conditions hereinafter set forth, agrees to indemnify the insured person in respect of such loss.

## TERMS AND CONDITIONS

## INSURED CROP

1. In this contract, "insured crop" means all varieties of apples produced in Ontario except crabapples.

## CAUSES OF LOSS NOT INSURED AGAINST

2. This contract does not insure against, and no indemnity is payable in respect of a loss resulting from,

- (a) the negligence, misconduct or poor farming practices of the insured person or the insured person's agents or employees;
- (b) a shortage of labour or machinery;



- (c) insect infestation or plant disease; or
- (d) a peril other than the perils designated in the plan.

#### EXTENT OF INSURANCE

3. (1) The insured person shall offer for insurance all acreage planted to the insured crop on the farm or farms operated by the insured person in Ontario, and, subject to subparagraph (2), this contract applies to all such acreage.

(2) This contract does not apply to acreage that is not suitable for or is not properly prepared for cropping.

#### HARVESTING

4. (1) All insured acreage shall be harvested unless the Commission consents in writing to the abandonment or destruction of the insured crop or any part of it and, in that case, the Commission shall determine,

- (a) the potential production of the unharvested acreage; and
- (b) whether the harvesting was prevented by one or more of the perils insured against.

(2) No indemnity is payable in respect of the unharvested acreage to an insured person who fails to obtain the consent of the Commission in accordance with subparagraph (1).

#### EVALUATION OF LOSS

5. (1) The amount of loss to be taken into account in the final adjustment of loss in respect of the total insured acreage is calculated by subtracting from the maximum indemnity the actual production of fresh apples multiplied by the established price and the actual production of juice apples multiplied by the established price.

(2) For the purpose of subparagraph (1),

- (a) actual production includes,
  - (i) the total fresh apple and juice apple production from all insured acreage, and
  - (ii) the potential production, as determined by the Commission, of wholly or partially unharvested acreage where the failure to harvest resulted from a peril not insured against; and

- (b) fresh apple production sold as juice apples shall be deemed to be fresh apple production.

#### NOTICE OF LOSS OR DAMAGE

#### 6. (1) Where,

- (a) loss or damage to the insured crop occurs; or
- (b) the insured crop or any part thereof is or is intended to be sold on a pick-your-own basis,

the insured person shall notify the Commission in writing prior to harvest in order that a pre-harvest inspection may be made.

(2) Despite subparagraph (1), if loss or damage to the insured crop occurs, the insured person shall notify the Commission in writing within the following time limits:

1. For hail or excessive wind damage, within three days of the time of loss.
2. For frost damage or freeze injury affecting the quality of the fruit, within three days of the time of loss.

(3) Where the insured person fails to notify the Commission under subparagraphs (1) and (2), the insured person's right to indemnity is forfeited.

#### MISREPRESENTATION, VIOLATION OF CONDITIONS OR FRAUD

7. An insured person's right to recover indemnity is forfeited if the person,

- (a) in the application for insurance,
  - (i) gives false particulars of the insured crop to the prejudice of the Commission, or
  - (ii) knowingly misrepresented or fails to disclose any fact required to be stated therein;
- (b) contravenes a term of the contract of insurance;
- (c) commits a fraud in respect of the insured crop; or
- (d) wilfully makes a false statement in respect of a claim under the contract of insurance,

## WAIVER OR ALTERATION

8. No term of this contract can be waived or altered by the Commission unless the waiver or alteration is in writing and signed by the Commission or a representative authorized for that purpose by the Commission.

## INTEREST OF OTHER PERSONS

9. Even if a person other than the insured person holds an interest of any kind in the insured crop, for the purposes of this contract,

- (a) the interest of the insured person in the insured crop is deemed to be the full value of the crop; and
- (b) except as provided in paragraph 10, no indemnity shall be paid to any person other than the insured person.

## ASSIGNMENT OF RIGHT OF INDEMNITY

10. The insured person may assign all or part of a right to indemnity under this contract in respect of the insured crop but an assignment is not binding on the Commission and no payment of indemnity shall be made to an assignee unless,

- (a) the assignment is made on a form provided by the Commission; and
- (b) the Commission consents thereto in writing.

## ADJUSTMENT OF LOSS

11. (1) The indemnity payable for loss or damage to the insured crop shall be determined in the manner set out in this contract.

(2) The Commission may cause the production of the insured crop to be appraised by any method that it deems proper.

(3) No indemnity shall be paid for a loss in respect of the insured crop unless the insured person establishes,

- (a) the actual production obtained from the insured crop for the crop year; and
- (b) that the loss in production or part thereof resulted directly from one or more of the designated perils.

(4) Where a loss in production resulted partly from a peril insured against and partly from a cause of loss not insured against, the Commission shall determine the amount of the loss



that resulted from the cause of loss not insured against, and the indemnity payable by the Commission under this contract shall be reduced accordingly.

#### PROOF OF LOSS

12. (1) A claim for indemnity in respect of the insured crop shall be made on a proof of loss form provided by the Commission and shall be filed with the Commission not later than sixty days after,

(a) the completion of harvesting of the insured crop; or

(b) the end of the crop year,

whichever is sooner.

(2) Where required by the Commission the information given in a proof of loss form shall be verified by statutory declaration.

#### ARBITRATION

13. Where the Commission and the insured person fail to resolve any dispute respecting the adjustment of a loss under this contract, the matter shall be determined by arbitration in accordance with the regulations.

#### TIME FOR PAYMENT OF INDEMNITY

14. (1) No indemnity under this contract becomes due and payable until,

(a) the end of the crop year; and

(b) the premium has been paid in full.

(2) Where the indemnity payable by the Commission under this contract is established by the filing of a proof of loss form or by an award of an arbitrator or board of arbitration, it shall be paid within 60 days of the receipt by the Commission of the proof of loss form or award, as the case may be.

#### SUBROGATION

15. Where the Commission has paid a claim under this contract, the Commission is subrogated to the extent thereof to all rights of recovery of the insured person against any person and may bring action in the name of the insured person or in its own name to enforce those rights.

## RIGHT OF ENTRY

16. The Commission has a right of entry to the premises of the insured person, other than a dwelling, that may be exercised by agents of the Commission at any reasonable time or times for any purpose related to the contract of insurance.

## NOTICE

17. (1) Any written notice to the Commission shall be given by delivery thereof or by sending it by mail to the Commission.

(2) Written notice to the insured person shall be served by personal delivery or by mailing it to the insured person's last known address on file with the Commission.

(3) Where a written notice is mailed, it shall be deemed to be served three days after it is mailed.

IN WITNESS WHEREOF The Crop Insurance Commission of Ontario has caused this contract of insurance to be signed by its general manger but the same shall not be binding upon the Commission until countersigned by a duly authorized representative thereof.

Countersigned and dated at .....

this.....day of....., 19.....

.....  
Duly Authorized  
Representative

.....  
General Manager

## Form 2

*Crop Insurance Act (Ontario)*

## EXTENDED COVERAGE ENDORSEMENT

## DEFINITIONS

1. In this Form,

"gross production" means the total damaged and undamaged production of the insured crop in each separate orchard;

"insured crop" means all varieties of apples produced in Ontario except crabapples;

"separate farms" means farms, whether adjoining or not, that have different addresses or different legal descriptions;

"separate orchards" means orchards that are operated by the same insured person, that are located on separate farms and that have yields that are maintained separately.

## TERMS AND CONDITIONS

2. (1) This endorsement provides for insurance against a loss in the grade of apples resulting from hail damage to separate orchards or, if the insured person operates only one orchard, to that orchard.

(2) Each separate orchard is insured under this endorsement on an individual basis.

(3) The only insurable peril under this endorsement is hail.

(4) In order to qualify for coverage under this endorsement, the insured person shall offer for insurance all separate orchards that are planted to the insured crop and that are operated by that person in Ontario.

(5) This endorsement is in force where the insured person applies for insurance in Form 1 of this plan, applies for the extended coverage offered under this endorsement and pays the premium set out in paragraph 9.

## APPLICATION

3. An insured person may make application for extended coverage up until the time that the production guarantee report is completed and the premium is paid by the insured.



4. The extended coverage under this endorsement may be cancelled by the insured person by notice in writing to the Commission on or before June 10 in the crop year during which the cancellation is to take effect.

#### COVERAGE

5. (1) The coverage provided under this endorsement shall be the same as that set out in subsection 9 (1), (2) and (3) of the Schedule.

(2) Subsection 9(4) of the Schedule does not apply to this endorsement.

6. The established price for apples shall be the same as that set out in section 10 of the Schedule.

7. The maximum indemnity for which the Commission is liable under a contract of insurance in Form 1 and insurance provided by this endorsement is the total of amounts obtained by multiplying the total guaranteed production determined under section 9 of the Schedule for each of fresh apples and juice apples by the established price per pound set out in section 10 of the Schedule.

8. For the purposes of this endorsement, an indemnity for a separate orchard shall be payable only where 10 per cent or more of the insured crop in the separate orchard is damaged by hail.

#### PREMIUMS

9. The total premium payable in the crop year for both the contract of insurance and this endorsement is the same as that determined in accordance with section 12 of the Schedule except that the premium rate is determined by the following formula:

Premium rate = base premium rate determined from Column 3 of the Table to subsection 12(1) of the Schedule x (1 + A).

10. The total premium payable under this endorsement shall be paid by the insured person at the time the contract of insurance for this endorsement is finalized between the Commission and the insured person.

#### EVALUATION OF LOSS

11. (1) The indemnity for each separate orchard is calculated by subtracting from the lesser of

- (a) the percentage of the actual production of apples which represents the historical percentage of production made up of fresh apples; or

(b) the guaranteed production of fresh apples, multiplied by the established price for fresh apples, the following:

1. The damaged fresh apple production multiplied by the established price for juice apples.
2. The undamaged fresh apple production multiplied by the established price for fresh apples.

(2) For the purposes of subparagraph (1),

(a) undamaged production includes,

- (i) the total fresh apple and juice apple production from each separate orchard, and
- (ii) the potential fresh apple production, as determined by the Commission, of wholly or partially unharvested acreage where the failure to harvest resulted from a peril not insured against under this endorsement; and

(b) fresh apple production sold as juice apples shall be deemed to be fresh apple productions.

#### NOTICE OF LOSS OR DAMAGE

12. Where loss or damage to the insured crop occurs, the insured person shall notify the Commission immediately in writing.

## Form 3

*Crop Insurance Act (Ontario)*

## EXTENDED COVERAGE ENDORSEMENT

## TERMS AND CONDITIONS

1. (1) In this endorsement the coverage for apples insured under the plan shall be deemed to be extended to producing and non-producing trees in accordance with paragraph 5.

(2) This endorsement is in force where the insured person applies for it and pays the prescribed premium.

(3) The coverage in force and indemnity and premium payable under this endorsement are in addition to any set out in the plan.

## DESIGNATION OF PERILS

2. (1) In addition to the perils designated under the plan, the following are designated as perils for the purposes of this endorsement:

1. Ice damage.
2. Virus disease for which there is no effective control program.
3. Fire blight.
4. Any other adverse weather condition.

(2) Item 3 of subparagraph (1) does not apply unless the insured person establishes that recommended management practices were followed.

3. An application for extended coverage shall be made by November 1, 1995 and thereafter by August 31 preceding the crop year in respect of which coverage under the plan is requested.

## EXTENT OF INSURANCE

4. (1) The insured person shall offer for insurance all trees being used to produce the insured crop or that are being grown to produce the insured crop and, subject to subparagraph (2), this endorsement applied to all such trees.

(2) This endorsement does not apply to trees,

(a) in the year of planting;

(b) that are diseased, or that for any other reason in the



opinion of the Commission, are not insurable; or

- (c) of a total insurable value of less than \$3,000 according to the Table.

(3) If more than 80 per cent of the trees in a block of trees, as determined by the Commission, are damaged due to an insured peril, an indemnity is payable for all the trees in the block.

(4) For the purposes of this endorsement, a loss shall be deemed to have occurred where,

- (a) 500 trees; or

- (b) 3 percent of the total number of trees insured,

whichever is fewer, are damaged by one or more of the insured perils to the extent that the trees are of no further value.

(5) An indemnity payable under this endorsement is reduced by an amount equal to 3 per cent of the insured person's coverage under this endorsement for the year that the indemnity is payable.

#### COVERAGE

5. (1) Subject to subparagraph (2), the coverage provided under this endorsement is the value per tree in accordance with the Table multiplied by the number of insured trees.

(2) Coverage of 50 per cent of that provided under subparagraph (1) may be selected by the insured person at the time of application.

#### PREMIUM

6. (1) Subject to subparagraph (2), the premium payable by the insured person in the crop year under this endorsement is 2 percent of the coverage provided.

(2) The minimum premium payable by an insured person in the crop year under this endorsement is \$200.

(3) An insured person shall pay the premium deposit of \$200 at the time of application for extended coverage.

#### NOTIFICATION OF LOSS

7. Any loss or damage must be reported to the Commission as soon as it becomes apparent and in no case will any indemnity be paid in respect of trees removed prior to inspection by the Commission.

TABLE

Age of Trees	Number of Trees per Acre	Coverage per Tree
2 or 3 years	any number	\$12
at least 4 years	200 or more	\$20
at least 4 years	75 to 199	\$25
4 years to 8 years	1 to 74	\$25
at least 9 years	1 to 74	\$40

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
*Chair*

MATT TULLOCH  
*Secretary*

Dated at Toronto on May 15, 1996.

32/96

**ONTARIO REGULATION 359/96**  
made under the  
**LONDON-MIDDLESEX ACT, 1992**

Made: June 28, 1996  
Filed: July 26, 1996

**OFFICIAL PLAN DEADLINE**

I. July 31, 1996 is prescribed, for the purposes of subsection 31 (1) of the Act, as the date before which the City of London is required to prepare an official plan, adopt it and forward it to the Minister for approval.

AL LEACH  
*Minister of Municipal Affairs and Housing*

Dated at Toronto on June 28, 1996.

**ONTARIO REGULATION 360/96**  
made under the  
**LONDON-MIDDLESEX ACT, 1992**

Made: July 15, 1996  
Filed: July 26, 1996

Amending O. Reg. 291/94  
(Property Tax Phase-in Changes under Section 43 of the Act)

Note: Ontario Regulation 291/94 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statute of Ontario, 1995.

- Subsection 2 (2) of Ontario Regulation 291/94 is revoked.
- Part II of the Regulation is revoked.
- Despite their revocation, subsection 2 (2) and Part II of the Regulation continue to apply for the purposes of the 1994 and 1995 taxation years.

AL LEACH  
*Minister of Municipal Affairs and Housing*

Dated at Toronto on July 15, 1996.

**ONTARIO REGULATION 361/96****made under the  
PLANNING ACT**

Made: July 26, 1996

Filed: July 26, 1996

Amending O. Reg. 102/72

(Restricted Areas—County of Ontario (now The Regional Municipality of Durham), Township of Pickering (now the Town of Pickering))

note: Since January 1, 1996, Ontario Regulation 102/72 has been amended by Ontario Regulation 208/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1995.

**1. Ontario Regulation 102/72 is amended by adding the following section:**

96. (1) Despite section 5, a storage barn and three car garage may be erected, located and used on the lands described in subsection (5), if the following requirements are met:

Minimum lot frontage	144 metres
Minimum lot area	4 hectares
Minimum front yard	15 metres
Minimum rear yard	15 metres
Minimum side yard	6 metres
Minimum floor area	139 square metres

(2) Despite paragraph 3 of section 6a, no accessory building or structure shall be less than 1.0 metre from any lot line.

(3) Despite paragraph 4 of section 6a, no accessory building or structure shall exceed a height of 9.63 metres.

(4) Despite paragraph 5 of section 6a, the total area covered by all accessory buildings and structures, excluding the garage, shall not exceed 5 percent of the area of the lot upon which they are constructed.

(5) Subsections (1), (2), (3) and (4) apply to that parcel of land in the Town of Pickering in the Regional Municipality of Durham, being part of Lot 3 in Concession VII, described as follows:

In the Town of Pickering, in the Regional Municipality of Durham (formerly known as the Township of Pickering in the County of Ontario) and Province of Ontario containing by admeasurement an area of 27.350 acres be the same more or less and being composed of part of Lot 3, in Concession 7 of the said Town, the limits of which said parcel of land may be more particularly described as follows:

Premising that the westerly limit of the said Lot 3 has a bearing of north 18 degrees 19 minutes 00 seconds West in accordance with a plan of survey prepared by G.T. Horton, O.L.S. and relating all bearings herein thereto.

Commencing at a survey monument at the Southwest angle of Lot 3 in Concession 7;

Thence North 18 degrees 19 minutes 00 seconds West, along the Westerly limit of the said Lot 3 a distance of 1841.95 feet to a survey monument at its intersection with a line of a rail fence running in an Easterly direction;

Thence North 71 degrees 53 minutes 00 seconds East along the last mentioned rail fence 661.80 feet to a survey monument at its intersection with the existing limit between the East and West halves of Lot 3;

Thence South 18 degrees 19 minutes 50 seconds East along the last mentioned limit 1842.21 feet to a survey monument in the southerly limit of the said Lot 3;

Thence South 71 degrees 55 minutes 00 seconds West along the said southerly limit of Lot 3, 90.87 feet to a survey monument at its intersection with a post and wire fence running in a north westerly direction;

Thence North 17 degrees 41 minutes 00 seconds West along the last mentioned post and wire fence 150.00 feet to a survey monument;

Thence South 71 degrees 55 minutes 00 seconds West, 187.67 feet to a survey monument;

Thence South 17 degrees 41 minutes 00 seconds East, 150.00 feet to a survey monument in the southerly limit of the said Lot 3;

Thence South 71 degrees 55 minutes 00 seconds West along the said southerly limit of Lot 3, a distance of 383.57 feet to the point of commencement.

As previously described in Instrument No. 253868.

MEREDITH BERESFORD

Director

Provincial Planning Services Branch  
Ministry of Municipal Affairs and Housing

Dated at Toronto on July 26, 1996.

32/96





# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—08—17

## ONTARIO REGULATION 362/96 made under the TORONTO ISLANDS RESIDENTIAL COMMUNITY STEWARDSHIP ACT, 1993

Made: July 17, 1996  
Filed: July 29, 1996

Amending O. Reg. 817/93  
(General)

Note: Ontario Regulation 817/93 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

### 1. Ontario Regulation 817/93 is amended by revoking subsection 2 (3) and substituting the following:

(3) For a charge levied under subsection 5 (4) of the Act in respect of the debt for sewer and water infrastructure,

(a) a lump sum payment shall be required for land leases purchased under section 19 of the Act or for any other land leases if the person who is to make the payment so requests;

(b) periodic payments shall be required in circumstances other than the circumstances described in clause (a).

(4) The amortization period used to calculate the periodic payments under clause (3) (b) is 15 years.

### 2. Sections 3 and 4 of the Regulation are revoked.

### 3. (1) Subsection 7 (2) of the Regulation is revoked.

(2) Subsection 7 (5) of the Regulation is amended by striking out "section 19" in the first line.

(3) Paragraph 2 of subsection 7 (5) of the Regulation is revoked and the following substituted:

2. The City of Toronto is entitled to receive the remainder of the proceeds.

(4) Paragraphs 2 and 3 of subsection 7 (6) of the Regulation are revoked and the following substituted:

2. The City of Toronto is entitled to receive the remainder of the proceeds.

(5) Subsection 7 (9) of the Regulation is amended by striking out "Province of Ontario" in the last line and substituting "City of Toronto".

(6) Paragraph 2 of subsection 7 (10) of the Regulation is amended by striking out the first two lines and substituting the following:

2. The Trust shall also transfer the following amount to the City of Toronto:

4. Subsection 10 (3) of the Regulation is revoked and the following substituted:

$$(A - B) - [(A - B) \times C] + D + E$$

where A = the undepreciated replacement cost new of the existing house and buildings as determined by the appraiser,

B = the estimated cost of bringing any deficiencies in the subject residence up to the standards of Toronto Housing By-law #73-68,

C = the effective age of the house as defined in the Principles of Appraisal published by the Ontario Real Estate Association multiplied by one per cent,

D = the present value of the lateral sanitary sewer and water services, walkways and site improvements,

E = the present value of any development fee paid by the initial purchaser of a vacant land lease to the Trust in an amount not to exceed \$14,500 excluding any amount attributable to the items referred to in D.

### 5. Section 11 of the Regulation is revoked.

6. Subsection 12 (1) of the Regulation is revoked and the following substituted:

(1) The maximum purchase price of a house under clause 17 (6) (c), subsection 19 (12), 21 (5) or (6), 22 (2) or 23 (2) or (10) of the Act is the sum of the appraised value as determined under section 10 plus the equity amount as determined under this section.

### 7. Section 15 of the Regulation is revoked.

### 8. Section 16 of the Regulation is revoked.

9. Section 16.3 of the Regulation is revoked and the following substituted:

16.3 The purchase price under clause 19 (10) (b) of the Act for a land lease for land on Algonquin Island is \$46,000.

16.4 The rights of way over the lands described in Schedule 1, together with the related property, plant and equipment, are prescribed for the purposes of paragraph 1 of subsection 4 (1.1) of the Act (sewer and water infrastructure).

16.5 The lands described in Schedule 2 are prescribed for the purposes of paragraph 2 of subsection 4 (1.1) of the Act.

16.6 The rights of way over the lands described in Schedule 3, together with the related property, plant and equipment, are prescribed for the purposes of subsection 4.1 (1) of the Act (Toronto Hydro).

16.7 The following buildings, together with their accessory buildings and structures, are prescribed for the purposes of paragraph 2 of section 4.2 of the Act:



1. The building known as the "Algonquin Island Club House" located at 18 Wyandot Avenue on Algonquin Island.
2. The building known as the "Shaw House" located at 108 Lakeshore Avenue on Ward's Island.
3. The building known as the "Rectory" located at 102 Lakeshore Avenue on Ward's Island.
4. The building known as the "Old Firehall" located at 101 Cibola Avenue on Ward's Island.
5. The buildings known as the "Ward's Island Clubhouse Buildings" located at 18 and 20 Withrow Street on Ward's Island.

16.8 The lands known municipally by the addresses set out in Schedule 4, together with the houses, buildings and structures on the land, are prescribed for the purposes of paragraph 2 of subsection 33 (2) of the Act and paragraph 2 of subsection 33 (3) of the Act (*Building Code* proceedings and applications).

10. The Regulation is amended by adding the following schedules:

#### Schedule 1

##### Rights of way - sewer and water infrastructure (Section 16.4)

1. The land in the City of Toronto, in the Municipality of Metropolitan Toronto being composed of parts of Lots 27, 28, 29, 43 and 44 and part of the Road lying north of Lot 29 on Plan 365 registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64), designated as parts 1 to 16, both inclusive, on Reference Plan 64R-14829 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).
2. The land in the City of Toronto, in the Municipality of Metropolitan Toronto being composed of parts of Lots 7, 10, 11, 13, 28, 29, 30, 31, 32, 33, 54, 55, 56, 57, 58, 79, 80, 81, 82, 83, 106 and 107 on Registered Plan 718E, registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64), designated as parts 1 to 22, both inclusive, on Reference Plan 64R-14854 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).
3. The land in the City of Toronto in the Municipality of Metropolitan Toronto being composed of parts of Lots 41, 42, 43, 44, 45, 68, 69, 70, 94, 95 and 96 on Registered Plan 718-E registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64) designated as parts 1 to 11, both inclusive, on Reference Plan 64R-14853 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).
4. The land in the City of Toronto in the Municipality of Metropolitan Toronto being composed of parts of Lots 31, 32, 33, 34, 35, 36, 37, 38, 39 and part of the Road One Chain Wide on Registered Plan 365 registered in Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64) and part of the Water Lot granted to the City of Toronto by the Dominion Government on June 4, 1896, registered as Instrument No. 5268T and by the Ontario Government on December 15, 1897, registered as Instrument No. 12384S designated as parts 1 to 136, both inclusive, on Reference Plan 64R-14627 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).

5. The land in the City of Toronto in the Municipality of Metropolitan Toronto being composed of parts of Lots 26, 27, 28, 29, 41, 42, 43, 44 and part of the road adjoining Lots 29 and 41 on Registered Plan 365 registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64), designated as parts 1, 2, 3, 4, 6, 8, 9, 10, 12, 14, 15, 16, 18, 19, 20, 22, 23, 25, 27, 29, 31, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, and 60 on Reference Plan 64R-14626 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).

#### Schedule 2

##### Lands (Section 16.5)

1. The land in the City of Toronto in the Regional Municipality of Metropolitan Toronto shown as Park Lands on Registered Plan 718E registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64) save and except those lands designated as Part 1 on Reference Plan 64R-15097 deposited in the Land Registry Office for the Land Registry Division of Metropolitan Toronto.
2. The land in the City of Toronto, in the Regional Municipality of Metropolitan Toronto located on Ward's Island on Toronto Islands lying northerly of the southerly limit of the southeasterly prolongation of Wyandot Avenue from Algonquin Island, to the Easterly limit of Lakeshore Avenue, save and except the following lands:
  - i. Parts of Lots 1, 2 and Part of Algonquin Bridge Road on Registered Plan 738E, part of Lot 27 and part of the 70 foot Roadway on Registered Plan 335-E, both Plans registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64), designated as Part 2 on Reference Plan 64R-15104 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).
  - ii. Parts of Lots 4 and 5 on Registered Plan 738E and part of the 70 foot roadway on Registered Plan 335-E, both Plans registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64), designated as Part 3 on Reference Plan 64R-15104 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).
  - iii. Parts of Lots 38, 39 and 40 on Registered Plan 335-E registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64), designated as Part 4 on Reference Plan 64R-15104 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).
  - iv. Parts of Lots 26, 27, 28, 29, 41, 42, 43, 44 and part of the road adjoining Lots 29 and 41 on Registered Plan 365 registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64) designated as parts 1 to 42, both inclusive, on Reference Plan 64R-14621 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).
  - v. Parts of Lots 41, 42 and 43 on Registered Plan 365 registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64) designated as parts 1 and 2 on Reference Plan 64R-15098 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).
  - vi. Parts of Lots 30 to 39, both inclusive, and part of the Road One Chain Wide on Registered Plan 365 registered in the



Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64) and part of the Water Lot granted to the City of Toronto by the Dominion Government on June 4, 1896, registered as Instrument No. 5268T and by the Ontario Government on December 15, 1897, registered as Instrument No. 12384S designated as Parts 1 to 134, both inclusive, on Reference Plan 64R-14622 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).

vii. Part of the Road One Chain Wide on Registered Plan 365 registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64) and part of the Water Lot C.L.S. 48762 granted to the City of Toronto by the Dominion Government on June 4, 1896 and by the Ontario Government on December 15, 1897 registered as Instrument No. 12384S lying in front of Road One Chain Wide on Registered Plan 365 designated as parts 2, 3 and 4 on Reference Plan 64R-15103 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).

viii. Part of the Road One Chain Wide on Registered Plan 365 registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64) and part of the Water Lot granted to the City of Toronto by the Dominion Government on June 4, 1896, registered as Instrument No. 5268T and by the Ontario Government on December 15, 1897, registered as Instrument No. 12384S bounded on the south by the northerly limits of parts 81 to 87 on Reference Plan 64R-14622 and the westerly production thereof and bounded on the east by the westerly limits of parts 77, 78, and 79 on Reference Plan 64R-14622 and the northerly production thereof, the said Reference Plan being deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).

ix. Parts of Lots 26, 27, 28 and 29 on Registered Plan 365 registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64), designated as parts 1, 2, 3, 4 and 5 on Reference Plan 64R-15107 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).

x. Parts of Lots 31, 36, 37, 38, 39 and part of the Road One Chain Wide on Registered Plan 365 registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64) and part of the Water Lot granted to the City of Toronto by the Dominion Government on June 4, 1896, registered as Instrument No. 5268T and by the Ontario Government on December 15, 1897, registered as Instrument No. 12384S designated as parts 1 to 22, both inclusive, on Reference Plan 64R-15108 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).

### Schedule 3

#### Rights of way - Toronto Hydro (Section 16.6)

1. Parts of Lots 26, 27, 28 and 29 on Registered Plan 365 registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64), designated as parts 1, 2, 3, 4 and 5 on Reference Plan 64R-15107 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).
2. Parts of Lots 31, 36, 37, 38, 39 and part of the Road One Chain Wide, both on Registered Plan 365 registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64) and part of the Water Lot granted to the City of

Toronto by the Dominion Government on June 4, 1896, registered as Instrument No. 5268T and by the Ontario Government on December 15, 1897, registered as Instrument No. 12384S designated as parts 1 to 22, both inclusive, on Reference Plan 64R-15108 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).

### Schedule 4

#### Building Code proceedings and applications (Section 16.8)

##### Algonquin Island

6	Dacotah Avenue	5	Oneida Avenue
14	Dacotah Avenue	7	Oneida Avenue
18	Dacotah Avenue	8	Oneida Avenue
5	Nottawa Avenue	13	Oneida Avenue
12	Nottawa Avenue	1	Seneca Avenue
2	Ojibway Avenue	5	Seneca Avenue
4	Ojibway Avenue	9	Seneca Avenue
14	Omaha Avenue	15	Seneca Avenue
20	Omaha Avenue	17	Seneca Avenue
22	Omaha Avenue	25	Seneca Avenue
26	Omaha Avenue	1	Wyandot Avenue
32	Omaha Avenue	5	Wyandot Avenue
3	Oneida Avenue	15	Wyandot Avenue

##### Ward's Island

9	Channel Avenue	24	Lakeshore Avenue
13	Channel Avenue	26	Lakeshore Avenue
14	Channel Avenue	30	Lakeshore Avenue
16	Channel Avenue	34	Lakeshore Avenue
5	Fifth Street	1	Lenore Avenue
13	Fifth Street	3	Lenore Avenue
15	Fifth Street	1	Second Street
18	Fifth Street	3	Second Street
20	Fifth Street	5	Second Street
23	Fifth Street	14	Second Street
24	Fifth Street	19	Sixth Street
6	First Street	21	Sixth Street
8	First Street	2	Third Street
10	First Street	5	Third Street
12	First Street	7	Third Street
1	Fourth Street	8	Third Street
3	Fourth Street	9	Third Street
4	Fourth Street	18	Third Street
5	Fourth Street	19	Third Street
6	Fourth Street	21	Third Street
16	Fourth Street	22	Third Street
17	Fourth Street	1	Willow Avenue
20	Fourth Street	7	Willow Avenue
23	Fourth Street	11	Willow Avenue
8	Lakeshore Avenue	2	Withrow Street
12	Lakeshore Avenue	4	Withrow Street
20	Lakeshore Avenue		

11. (1) Except as provided in subsection (2), this Regulation comes into force on July 22, 1996.

(2) Section 7 of this Regulation comes into force on the day section 18 of the *Toronto Islands Amendment Act, 1996* comes into force.

**ONTARIO REGULATION 363/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: June 20, 1996  
Approved: July 24, 1996  
Filed: August 1, 1996

Amending Reg. 242 of R.R.O. 1990  
(Crop Insurance Plan—Butternut Squash)

Note: Regulation 242 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 18 of the Schedule to Regulation 242 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

**FINAL DATE FOR PLANTING**

18. For the purposes of this plan, the final date for planting in a crop year is June 30 or the date that the Commission may determine.

2. Subparagraphs 4 (3) and (4) of Form 1 of the Regulation are revoked and the following substituted:

(3) If the Commission gives a consent under subparagraph (2), it shall pay an indemnity to the insured person equal to the cost of materials for replanting the damaged acreage to butternut squash, up to a maximum of \$65 per damaged acre.

(4) The contract of insurance continues to apply to the damaged acreage only if it is replanted to butternut squash.

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
*Chair*

MATT TULLOCH  
*Secretary*

Dated at Toronto on June 20, 1996.

33/96

**ONTARIO REGULATION 364/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: May 31, 1996  
Approved: July 26, 1996  
Filed: August 1, 1996

Amending Reg. 224 of R.R.O. 1990  
(Crop Insurance Plan—Flue-Cured Tobacco)

Note: Regulation 224 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Subsections 8 (2) and (5) of the Schedule to Regulation 224 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

**RÈGLEMENT DE L'ONTARIO 363/96**  
pris en application de la  
**LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)**

pris le 20 juin 1996  
approuvé le 24 juillet 1996  
déposé le 1<sup>er</sup> août 1996

modifiant le Règl. 242 des R.R.O. de 1990  
(Régime d'assurance-récolte sur les courges musquées)

Remarque : Le Règlement 242 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. L'article 18 de l'annexe du Règlement 242 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

**DATE LIMITE DE LA PLANTATION**

18. Dans le cadre du présent régime, la date limite de la plantation au cours d'une campagne agricole est le 30 juin ou la date que peut fixer la Commission.

2. Les sous-dispositions 4 (3) et (4) de la formule 1 du Règlement sont abrogées et remplacées par ce qui suit :

(3) Si la Commission donne un consentement visé à la sous-disposition (2), elle paie à l'assuré une indemnité égale au coût des matériaux nécessaires à la replantation des courges musquées sur la superficie endommagée, jusqu'à un maximum de 65 \$ pour chaque acre endommagé.

(4) Le contrat d'assurance continue de s'appliquer à la superficie endommagée seulement si les courges musquées sont replantées sur celle-ci.

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE :

WILLIAM JONGEJAN  
*Président*

MATT TULLOCH  
*Secrétaire*

Fait à Toronto le 20 juin 1996.

**RÈGLEMENT DE L'ONTARIO 364/96**  
pris en application de la  
**LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)**

pris le 31 mai 1996  
approuvé le 26 juillet 1996  
déposé le 1<sup>er</sup> août 1996

modifiant le Règl. 224 des R.R.O. de 1990  
(Régime d'assurance-récolte sur le tabac jaune)

Remarque : Le Règlement 224 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. (1) Les paragraphes 8 (2) et (5) de l'annexe du Règlement 224 des Règlements refondus de l'Ontario de 1990 sont abrogés et remplacés par ce qui suit :



(2) The insured person or the Commission may cancel a contract of insurance by giving notice in writing to the other party on or before April 15 in the crop year during which the cancellation is to be effective.

(5) The amendments shall be deemed to be part of the contract of insurance on April 15 of the year in which they are mailed.

(2) Section 9 of the Schedule to the Regulation is amended by striking out "nine-year" in the third line and substituting "10-year".

(3) The Table to subsection 11 (1) of the Schedule to the Regulation is revoked and the following substituted:

TABLE

Guaranteed production in pounds for total acreage planted to the insured crop	Crop insured under Section A of Form 1 per 100 lbs	Crop insured under Section B of Form 1 per 100 lbs
0 - 30,000 lbs	\$2.13	\$2.00
30,001 - 40,000 lbs	2.09	1.97
40,001 - 50,000 lbs	2.04	1.94
50,001 - 60,000 lbs	1.99	1.91
60,001 - 70,000 lbs	1.95	1.88
70,001 - 80,000 lbs	1.90	1.85
80,001 - 90,000 lbs	1.85	1.81
90,001 - 100,000 lbs	1.80	1.77
100,001 - 110,000 lbs	1.75	1.73
110,001 - 120,000 lbs	1.69	1.70
120,001 - 130,000 lbs	1.64	1.66
130,001 - 140,000 lbs	1.59	1.62
140,001 - 150,000 lbs	1.53	1.59
150,001 - 160,000 lbs	1.48	1.55
160,001 - 170,000 lbs	1.43	1.51
170,001 lbs or more	1.38	1.47

2. (1) The English version of subparagraph 5 (1) of Form 1 of the Regulation is amended by striking out "the 18th day of June" in the third line and substituting "June 20".

(2) Subparagraph 5 (4) of Form 1 of the Regulation is amended by striking out "40 per cent" in the fifth line and substituting "42.5 per cent".

(3) Subparagraph 6 (3) of Form 1 of the Regulation is amended by striking out "80 per cent" in the fourth line and substituting "85 per cent".

(4) Subparagraph 7 (1) of Form 1 of the Regulation is amended by striking out "the 20th day of May" in the second line and substituting "May 18".

(5) Subparagraph 7 (4) of Form 1 of the Regulation is amended by striking out "40 per cent" in the fifth line and substituting "42.5 per cent".

(2) L'assuré ou la Commission peut annuler le contrat d'assurance en avisant par écrit l'autre partie au plus tard le 15 avril de la campagne agricole pendant laquelle l'annulation doit prendre effet.

(5) Les modifications sont réputées faire partie du contrat d'assurance le 15 avril de l'année au cours de laquelle elles sont mises à la poste.

(2) L'article 9 de l'annexe du Règlement est modifié par substitution de «10 ans» à «neuf ans» à la troisième ligne.

(3) Le tableau du paragraphe 11 (1) de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

TABEAU

Production garanti en livres de la superficie totale où est plantée la récolte assurée	Récolte assurée aux termes de la partie A de la formule 1, par 100 livres	Récolte assurée aux termes de la partie B de la formule 1, par 100 livres
0 à 30 000	2,13 \$	2,00 \$
30 001 à 40 000	2,09	1,97
40 001 à 50 000	2,04	1,94
50 001 à 60 000	1,99	1,91
60 001 à 70 000	1,95	1,88
70 001 à 80 000	1,90	1,85
80 001 à 90 000	1,85	1,81
90 001 à 100 000	1,80	1,77
100 001 à 110 000	1,75	1,73
110 001 à 120 000	1,69	1,70
120 001 à 130 000	1,64	1,66
130 001 à 140 000	1,59	1,62
140 001 à 150 000	1,53	1,59
150 001 à 160 000	1,48	1,55
160 001 à 170 000	1,43	1,51
170 001 ou plus	1,38	1,47

2. (1) La version anglaise de la sous-disposition 5 (1) de la formule 1 du Règlement est modifiée par substitution de «June 20» à «the 18th day of June» à la troisième ligne.

(2) La sous-disposition 5 (4) de la formule 1 du Règlement est modifiée par substitution de «42,5 pour cent» à «40 pour cent» à la cinquième ligne.

(3) La sous-disposition 6 (3) de la formule 1 du Règlement est modifiée par substitution de «85 pour cent» à «80 pour cent» à la quatrième ligne.

(4) La sous-disposition 7 (1) de la formule 1 du Règlement est modifiée par substitution de «le 18» à «le 20» à la deuxième ligne.

(5) La sous-disposition 7 (4) de la formule 1 du Règlement est modifiée par substitution de «42,5 pour cent» à «40 pour cent» à la cinquième ligne.



(6) Subparagraph 8 (4) of Form 1 of the Regulation is amended by striking out "80 per cent" in the fourth and fifth lines and substituting "85 per cent".

(6) La sous-disposition 8 (4) de la formule 1 du Règlement est modifiée par substitution de «85 pour cent» à «80 pour cent» à la quatrième ligne.

(7) Subparagraph 9 (2) of Form 1 of the Regulation is amended by striking out "\$165" in the second line and substituting "\$190".

(7) La sous-disposition 9 (2) de la formule 1 du Règlement est modifiée par substitution de «190 \$» à «165 \$» à la troisième ligne.

THE CROP INSURANCE COMMISSION OF ONTARIO:

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE :

WILLIAM JONGEJAN  
Chair

WILLIAM JONGEJAN  
Président

MATT TULLOCH  
Secretary

MATT TULLOCH  
Secrétaire

Dated at Toronto on May 31, 1996.

Fait à Toronto le 31 mai 1996.

33/96

### CORRECTIONS

1. Ontario Regulation 50/96, published in the March 9, 1996 issue of *The Ontario Gazette*, should have been made under the *Ontario New Home Warranties Plan Act*.
2. Ontario Regulation 62/96, published in the March 16, 1996 issue of *The Ontario Gazette*, should have been made under the *French Language Services Act*.
3. Ontario Regulation 73/96 under the *Gaming Control Act*, 1992 published in the March 23, 1996 issue of *The Ontario Gazette*.

Section 1 of Ontario Regulation 73/96 should have read as follows:

1. The title to Ontario Regulation 70/94 is revoked and the following substituted:

#### GENERAL—GAMES OF CHANCE HELD IN CASINOS

4. Ontario Regulation 85/96, published in the April 6, 1996 issue of *The Ontario Gazette*, should have been made under the *Public Sector Salary Disclosure Act*, 1996.
5. Ontario Regulation 259/96 under the *Assessment Act* published in the June 29, 1996 issue of *The Ontario Gazette*.

The title to Ontario Regulation 259/96 should have read as follows:

#### EQUALIZATION OF ASSESSMENTS (VARIOUS DISTRICT SCHOOL AREAS) UNDER SUBSECTION 58 (3) OF THE ACT

6. Ontario Regulation 279/96, published in the July 6, 1996 issue of *The Ontario Gazette*, should have been made under the *Pharmacy Act*, 1991.
7. Ontario Regulation 280/96, published in the July 6, 1996 issue of *The Ontario Gazette*, should have been made under the *Pharmacy Act*, 1991.

# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—08—24

## ONTARIO REGULATION 365/96 made under the RENT CONTROL ACT, 1992

Made: July 17, 1996  
Filed: August 7, 1996

Amending O. Reg. 416/92  
(Table (Subsection 12 (1) of the Act))

## RÈGLEMENT DE L'ONTARIO 365/96 pris en application de la LOI DE 1992 SUR LE CONTRÔLE DES LOYERS

pris le 17 juillet 1996  
déposé le 7 août 1996

modifiant le Règl. de l'Ont. 416/92  
(Barème (paragraphe 12 (1) de la Loi))

Note: Ontario Regulation 416/92 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

Remarque : Le Règlement de l'Ontario 416/92 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des Règlements qui figure dans les Lois de l'Ontario de 1995.

1. Ontario Regulation 416/92 is amended by adding the following Table:

TABLE 6  
TABLE FOR 1997

COLUMN 1	COLUMN 2	COLUMN 3
Operating Cost Category	Three-year Moving Average	Weight
Insurance	2.77%	5.01%
Heating	0.69%	15.96%
Hydro	-1.14%	9.03%
Water	4.36%	4.24%
Municipal Taxes	1.57%	32.85%
Administration	2.41%	16.94%
Maintenance	1.01%	13.68%
Miscellaneous	2.41%	2.29%

1. Le Règlement de l'Ontario 416/92 est modifié par adjonction du barème suivant :

BARÈME 6  
BARÈME POUR L'ANNÉE 1997

COLONNE 1	COLONNE 2	COLONNE 3
Catégorie de frais d'exploitation	Moyenne mobile de trois ans	Pondération
Assurance	2.77 %	5.01 %
Chauffage	0.69 %	15.96 %
Électricité	-1.14 %	9.03 %
Eau	4.36 %	4.24 %
Impôts municipaux	1.57 %	32.85 %
Administration	2.41 %	16.94 %
Entretien	1.01 %	13.68 %
Frais divers	2.41 %	2.29 %

## ONTARIO REGULATION 366/96 made under the HIGHWAY TRAFFIC ACT

Made: August 2, 1996  
Filed: August 7, 1996

Amending Reg. 598 of R.R.O. 1990  
(Gross Weight on Bridges)

Note: Since January 1, 1996, Regulation 598 has been amended by Ontario Regulation 75/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Schedule 1 to Regulation 598 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:



**Schedule 1****COVERED BRIDGE OVER GRAND RIVER, REGIONAL  
MUNICIPALITY OF WATERLOO**

COLUMN 1	COLUMN 2
Bridge	Gross Weight Limit in Tonnes
Bridge No. 33-58, a King's Highway, so designated September 16, 1937, on Township Road No. 62 at West Montrose in Lot 75, German Company Tract, in the Township of Woolwich, in the County of Waterloo, now in the Township of Woolwich in the Regional Municipality of Waterloo, over the Grand River.	3 tonnes

AL PALLADINI

*Minister of Transportation*

Dated at Toronto on August 2, 1996.

34/96

**ONTARIO REGULATION 367/96**

made under the

**LOCAL ROADS BOARDS ACT**

Made: August 2, 1996

Filed: August 7, 1996

Amending Reg. 734 of R.R.O. 1990  
(Establishment of Local Roads Areas—  
Northern and Eastern Regions)

Note: Since January 1, 1996, Regulation 734 has been amended by Ontario Regulation 145/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Schedule 13 to Regulation 734 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

**Schedule 13****HUNTA LOCAL ROADS AREA**

All those portions of the townships of Calder and Clute in the Territorial District of Cochrane shown outlined on Ministry of Transportation Plan N-528-4, filed with the Records Service Unit of the Ministry of Transportation at North Bay on May 9, 1996.

2. Schedule 41 to the Regulation is revoked and the following substituted:

**Schedule 41****SABINE LOCAL ROADS AREA**

All those portions of the townships of Sabine and Lyell in the Territorial District of Nipissing shown outlined on Ministry of

Transportation Plan N-834-C8, filed with the Records Service Unit of the Ministry of Transportation at North Bay on May 22, 1996.

AL PALLADINI

*Minister of Transportation*

Dated at Toronto on August 2, 1996.

34/96

**ONTARIO REGULATION 368/96**

made under the

**HIGHWAY TRAFFIC ACT**

Made: August 2, 1996

Filed: August 7, 1996

Amending Reg. 631 of R.R.O. 1990  
(Yield Right-of-Way Signs in Territory Without  
Municipal Organization)

Note: Since January 1, 1996, Regulation 631 has been amended by Ontario Regulations 150/96 and 151/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Regulation 631 of the Revised Regulations of Ontario, 1990 amended by adding the following Schedule:

**Schedule 50**

1. The highway known as Maple Street in the unorganized municipality of Esquega in the Territorial District of Algoma at its intersection with the highway known as King Street.

2. Southbound on King Street.

AL PALLADINI

*Minister of Transportation*

Dated at Toronto on August 2, 1996.

34/96



**ONTARIO REGULATION 369/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: June 21, 1996  
Approved: July 26, 1996  
Filed: August 8, 1996

Amending Reg. 241 of R.R.O. 1990  
(Crop Insurance Plan—Potatoes)

Note: Regulation 241 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Section 11 of the Schedule to Regulation 241 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

11. The established price for potatoes is \$5.50 per hundredweight.

(2) The Table to subsection 13 (1) of the Schedule to the Regulation is revoked and the following substituted:

TABLE

Percentage Chosen by Insured	Base Premium Per Acre
70%	\$81.60
75%	\$99.70
80%	\$120.40

2. Subparagraphs 2 (3) and (4) of Form 1 of the Regulation are revoked and the following substituted:

(3) If the damaged acreage is replanted, the Commission shall pay an indemnity to the insured person equal to the cost of materials for replanting the damaged acreage to potatoes, up to a maximum of \$370 per damaged acre.

(4) The contract of insurance continues to apply to the damaged acreage only if it is replanted to potatoes.

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
*Chair*

MATT TULLOCH  
*Secretary*

dated at Toronto on June 21, 1996.

**RÈGLEMENT DE L'ONTARIO 369/96**  
pris en application de la  
**LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)**

pris le 21 juin 1996  
approuvé le 26 juillet 1996  
déposé le 8 août 1996

modifiant le Règl. 241 des R.R.O. de 1990  
(Régime d'assurance-récolte sur les pommes de terre)

Remarque : Le Règlement 241 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. (1) L'article 11 de l'annexe du Règlement 241 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

11. Le prix fixé pour les pommes de terre est de 5,50 \$ le quintal.

(2) Le tableau figurant au paragraphe 13 (1) de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

TABLEAU

Pourcentage choisi par l'assuré	Taux de prime de base par acre
70 %	81,60 \$
75 %	99,70 \$
80 %	120,40 \$

2. Les sous-dispositions 2 (3) et (4) de la formule 1 du Règlement sont abrogées et remplacées par ce qui suit :

(3) En cas de replantation de la superficie endommagée, la Commission paie à l'assuré une indemnité égale au coût des matériaux nécessaires à la replantation des pommes de terre sur la superficie endommagée, jusqu'à un maximum de 370 \$ pour chaque acre endommagé.

(4) Le contrat d'assurance continue de s'appliquer à la superficie endommagée seulement si les pommes de terre sont replantées sur celle-ci.

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE

WILLIAM JONGEJAN  
*Président*

MATT TULLOCH  
*Secrétaire*

Fait à Toronto le 21 juin 1996.

UNITED STATES DEPARTMENT OF AGRICULTURE

WASH. D. C.

OFFICE OF THE SECRETARY

WASHINGTON, D. C.

TO THE SECRETARY

WASHINGTON, D. C.

FROM THE SECRETARY

WASHINGTON, D. C.

RECEIVED

WASHINGTON, D. C.

DATE

WASHINGTON, D. C.

RECEIVED

WASHINGTON, D. C.

DATE

WASHINGTON, D. C.

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# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—08—31

## ONTARIO REGULATION 370/96 made under the HIGHWAY TRAFFIC ACT

Made: August 7, 1996  
Filed: August 12, 1996

Amending Reg. 604 of R.R.O. 1990  
(Parking)

Note: Since January 1, 1996, Regulation 604 has been amended by Ontario Regulations 71/96 and 329/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Schedule 6 of Appendix A to Regulation 604 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

31. That part of the King's Highway known as No. 11 and 17 in the Township of Oliver, in the Territorial District of Thunder Bay, beginning at a point situate 100 metres measured westerly from its intersection with the King's Highway known as No. 590 and extending to a point situate 100 metres measured easterly from its intersection with the roadway known as Oliver Road.

2. Paragraph 8 of Schedule 13 of Appendix A to the Regulation is revoked and the following substituted:

8. That part of the King's Highway known as No. 11 and 17 in the Township of Oliver, in the Territorial District of Thunder Bay, beginning at a point situate 100 metres measured westerly from its intersection with the King's Highway known as No. 590 and extending to a point situate 100 metres measured easterly from its intersection with the roadway known as Oliver Road.

3. Schedule 16 of Appendix A to the Regulation is amended by adding the following paragraph:

21. That part of the King's Highway known as No. 7 in the Township of South Sherbrooke, in the County of Lanark, beginning at a point situate 3740 metres west of the intersection of the King's Highway known as No. 7 at Lanark County Road 36 and extending westerly for a distance of 200 metres.

4. Paragraph 1 of Schedule 79 of Appendix A to the Regulation is revoked and the following substituted:

1. That part of the King's Highway known as No. 402 in the City of Sarnia in the County of Lambton beginning at a point situate 800 metres measured westerly from its intersection with the centre line of the Front Street structure and a point situate 100 metres measured easterly from its intersection with the centre line of the Blackwell Road structure.

AL PALLADINI  
Minister of Transportation

Dated at Toronto on August 7, 1996.

35/96

## ONTARIO REGULATION 371/96 made under the HIGHWAY TRAFFIC ACT

Made: August 7, 1996  
Filed: August 12, 1996

Amending Reg. 624 of R.R.O. 1990  
(Stop Signs in Territory Without Municipal Organization)

Note: Since January 1, 1996, Regulation 624 has been amended by Ontario Regulations 149/96 and 152/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Regulation 624 of the Revised Regulations of Ontario, 1990 is amended by adding the following Schedule:

### Schedule 164

1. The highway known as Bass Lake Road in the Township of Aberdeen in the Territorial District of Algoma at its intersection with the highway known as Aberdeen Lake Road.
2. Northbound on Bass Lake Road.

AL PALLADINI  
Minister of Transportation

Dated at Toronto on August 7, 1996.

35/96

## ONTARIO REGULATION 372/96 made under the LOCAL SERVICES BOARDS ACT

Made: August 7, 1996  
Filed: August 12, 1996

### ORDER FOR DISSOLUTION— LOCAL SERVICES BOARD OF OBA

1. The Local Services Board of Oba and the Board area are hereby dissolved under clause 30 (c) of the Act.

2. The Board's assets shall be disposed of in accordance with sections 3 to 7.

3. Lot 163, Plan M-54, Township of Franz, District of Algoma is vested in the Ministry of Natural Resources as Crown land and all assets of the Board on that land are vested in that Ministry.

4. Lot 14, Concession 1, Parcel 3199, Plan M-49, Township of Franz, District of Algoma is vested in the Ministry of Natural Resources as Crown land and all assets of the Board on that land are vested in that Ministry.



5. (1) Part of Lot 13 and Part of Lot 14, Concession 1, Township of Franz, being the whole of Parcel 1886, Algoma West Section, District of Algoma, and all assets of the Board on that land, are vested in trust in the Ontario Realty Corporation to be disposed of by sale, subject to an easement in favour of The Ontario Educational Communications Authority for the purpose of operating and maintaining its equipment on the land.

(2) The proceeds of the sale shall be used to reimburse the Ontario Realty Corporation for the costs incurred in selling the assets, and any balance remaining shall be paid to the Ministry of Northern Development and Mines.

(3) If the proceeds of the sale are not sufficient to reimburse the Ontario Realty Corporation, the balance shall be paid out of the money referred to in section 6.

(4) The Ontario Realty Corporation has general supervision of the disposition of the land and other assets and the power to do anything necessary to carry out the trust effectively.

6. The money in the Board's account at the Canadian Imperial Bank of Commerce in Hearst, Ontario shall be transferred to the credit of the Ministry of Northern Development and Mines.

7. The records and files of the Board shall be kept by the Ministry of Northern Development and Mines for at least five years from the date of this order.

8. Section 40 of Regulation 737 of the Revised Regulations of Ontario, 1990 is revoked.

CHRIS HODGSON  
Minister of Northern Development and Mines

Dated at Toronto on August 7, 1996.

35/96

**ONTARIO REGULATION 373/96**  
made under the  
**ONTARIO WATER RESOURCES ACT**

Made: August 14, 1996  
Filed: August 15, 1996

Amending O. Reg. 435/93  
(Water Works and Sewage Works)

Note: Ontario Regulation 435/93 has not previously been amended.

1. Subsection 2 (4) of Ontario Regulation 435/93 is revoked and the following substituted:

(4) Paragraph 5 of subsection (2) and paragraph 4 of subsection (3) do not apply until January 1, 1998.

35/96

**ONTARIO REGULATION 374/96**  
made under the  
**TRADES QUALIFICATION AND  
APPRENTICESHIP ACT**

Made: August 14, 1996  
Filed: August 15, 1996

Amending O. Reg. 269/96  
(Motive Power Equipment)

Note: Ontario Regulation 269/96 has not previously been amended.

1. (1) Subsection 10 (1) of Ontario Regulation 269/96 is amended by striking out "September 1, 1996" in the last line and substituting "November 1, 1996".

(2) Subsection 10 (2) of the Regulation is amended by striking out "August 31, 1996" in the third line and substituting "October 31, 1996".

35/96

**ONTARIO REGULATION 375/96**  
made under the  
**ONTARIO DRUG BENEFIT ACT**

Made: August 14, 1996  
Filed: August 15, 1996

Amending O. Reg. 201/96  
(General)

Note: Ontario Regulation 201/96 has been amended by Ontario Regulations 324/96 and 336/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. The definition of "Formulary" in section 1 of Ontario Regulation 201/96 is revoked and the following substituted:

"Formulary" means the Ministry of Health publication titled "Drug Benefit Formulary/Comparative Drug Index (No. 35) and dated May 27, 1996 as most recently amended on September 5, 1996.

2. This Regulation comes into force on September 5, 1996.

35/96

**ONTARIO REGULATION 376/96**  
made under the  
**DRUG INTERCHANGEABILITY AND  
DISPENSING FEE ACT**

Made: August 14, 1996  
Filed: August 15, 1996

Amending Reg. 935 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 935 has been amended by Ontario Regulations 18/96, 177/96, 204/96 and 337/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. The definition of "Formulary" in section 1 of Regulation 935 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

"Formulary" means the Ministry of Health publication titled "Drug Benefit Formulary/Comparative Drug Index (No. 35) and dated May 27, 1996 as most recently amended on September 5, 1996.

2. This Regulation comes into force on September 5, 1996.

35/96

## ONTARIO REGULATION 377/96

made under the  
MUNICIPAL ACT

Made: August 15, 1996  
Filed: August 15, 1996

Amending O. Reg. 214/96  
(Dissolution of and Changes to Local Boards)

Note: Ontario Regulation 214/96 has not previously been amended.

1. Ontario Regulation 214/96 is amended by adding the following French version:

### DISSOLUTION ET MODIFICATION DES CONSEILS LOCAUX

1. (1) Pour l'application du paragraphe 210.4 (4) de la Loi, le présent règlement s'applique à tous les genres de conseils locaux auxquels s'applique l'article 210.4 de la Loi, à l'exclusion de ceux qui sont indiqués dans le Règlement de l'Ontario 25/96.

(2) Malgré le paragraphe (1), les articles 5, 6 et 7 du présent règlement ne s'appliquent pas aux villages partiellement autonomes.

(3) Malgré le paragraphe (1), les articles 5, 6 et 7 du présent règlement s'appliquent aux commissions de services publics chargées de la distribution de la puissance ou de l'énergie électriques et de l'approvisionnement en celles-ci, dans la mesure prescrite par l'article 5.

2. Pour l'application du présent règlement :

- a) un village partiellement autonome est un conseil local des municipalités dans lesquelles il est situé;
- b) le Conseil de gestion du Zoo de la communauté urbaine de Toronto et le Conseil de gestion d'O'Keefe Centre sont des conseils locaux de la municipalité de la communauté urbaine de Toronto;
- c) le fonds appelé *Toronto Atmospheric Fund* et la fondation appelée *Toronto Atmospheric Fund Foundation* sont des conseils locaux de la cité de Toronto;
- d) l'organisme appelé *The Hamilton Entertainment and Convention Facilities Inc.* est un conseil local de la cité de Hamilton;
- e) l'organisme appelé *The Centre in The Square Inc.* est un conseil local de la cité de Kitchener.

3. Si le conseil d'une municipalité adopte un règlement municipal en vue de dissoudre un conseil local, le jour où le règlement municipal entre en vigueur :

## RÈGLEMENT DE L'ONTARIO 377/96

pris en application de la  
LOI SUR LES MUNICIPALITÉS

pris le 15 août 1996  
déposé le 15 août 1996

modifiant le Règl. de l'Ont. 214/96  
(Dissolution et modification des conseils locaux)

Remarque : Le Règlement de l'Ontario 214/96 n'a pas été modifié antérieurement.

1. Le Règlement de l'Ontario 214/96 est modifié par adjonction de la version française suivante :

- a) le conseil cesse d'exister;
- b) la municipalité remplace à toutes fins le conseil;
- c) si le conseil est une personne morale, celle-ci est dissoute.

4. Si un conseil local de deux municipalités ou plus est dissous, chaque municipalité remplace à ses fins le conseil et :

- a) les pouvoirs du conseil sont dévolus à chaque municipalité, aux fins de celle-ci, le jour où le règlement municipal entre en vigueur;
- b) les droits, réclamations, entreprises et obligations ainsi que l'actif et le passif du conseil sont dévolus aux municipalités, qui sont investies des pouvoirs du conseil aux termes de l'alinéa a), le jour où le règlement municipal entre en vigueur;
- c) les règlements municipaux et les résolutions du conseil sont maintenus en vigueur en tant que règlements municipaux et résolutions des municipalités, qui sont investies des pouvoirs du conseil aux termes de l'alinéa a), le jour où le règlement municipal entre en vigueur, et demeurent en vigueur jusqu'à ce qu'ils soient abrogés ou modifiés.

5. (1) Une municipalité peut, par règlement municipal, apporter les modifications suivantes à un conseil local :

- 1. Elle peut prendre en charge un ou plusieurs des pouvoirs du conseil, à l'exclusion des pouvoirs d'une commission de services publics relatifs à la distribution de la puissance ou de l'énergie électriques et à l'approvisionnement en celles-ci.
- 2. Elle peut apporter les modifications qu'elle estime utiles concernant les membres du conseil, y compris des modifications touchant leur nombre, leur mandat, leur rémunération et la façon dont ils deviennent membres.
- 3. Elle peut dispenser de l'obligation d'élire les membres à un conseil et peut les remplacer, après l'expiration de leur mandat, par des membres nommés au conseil par la municipalité.
- 4. Elle peut modifier le nom du conseil.



5. Elle peut exiger que le conseil se conforme aux règles et procédures qu'elle établit en ce qui a trait à ce qui suit :

- i. la fourniture de renseignements, y compris des renseignements concernant les prévisions budgétaires et les finances du conseil,
- ii. l'obligation que la municipalité impose au conseil de faire approuver ses prévisions budgétaires ou les modifications qui y sont apportées, par celle-ci,
- iii. la façon dont le conseil affecte les fonds que lui verse la municipalité.

(2) Les modifications autorisées par la disposition 4 et la sous-disposition i de la disposition 5 du paragraphe (1) ne s'appliquent à une commission de services publics chargée de la distribution de la puissance ou de l'énergie électriques et de l'approvisionnement en celles-ci que si cette commission est également chargée de la fourniture d'un autre service public et que dans la mesure où une modification apportée en vertu d'une de ces dispositions ne porte pas ou n'influe pas, directement ou indirectement, sur sa responsabilité à l'égard de cette distribution et de cet approvisionnement.

(3) Les dispositions 2 et 3 et les sous-dispositions ii et iii de la disposition 5 du paragraphe (1) ne s'appliquent pas à une commission de services publics chargée de la distribution de la puissance ou de l'énergie électriques et de l'approvisionnement en celles-ci.

6. (1) La municipalité qui prend en charge un ou plusieurs des pouvoirs d'un conseil local en vertu d'un règlement municipal pris en application de la disposition 1 de l'article 5 remplace le conseil aux fins de l'exercice de ces pouvoirs, et les droits, réclamations,

entreprises et obligations ainsi que l'actif et le passif du conseil liés à ces pouvoirs sont dévolus à la municipalité le jour où le règlement municipal entre en vigueur.

(2) Lorsqu'une municipalité prend en charge un ou plusieurs des pouvoirs d'un conseil local en vertu d'un règlement municipal pris en application de la disposition 1 de l'article 5, les règlements municipaux et les résolutions du conseil liés à l'exercice de ces pouvoirs sont maintenus en vigueur en tant que règlements municipaux et résolutions de la municipalité le jour où le règlement municipal portant sur la prise en charge des pouvoirs entre en vigueur, et demeurent en vigueur jusqu'à ce qu'ils soient abrogés ou modifiés.

7. Si un ou plusieurs des pouvoirs d'un conseil local de deux municipalités ou plus sont pris en charge en vertu de la disposition 1 de l'article 5, chaque municipalité remplace le conseil aux fins de l'exercice de ces pouvoirs et :

- a) les pouvoirs du conseil qui sont pris en charge sont dévolus à chaque municipalité, aux fins de celle-ci, le jour où le règlement municipal entre en vigueur;
- b) les droits, réclamations, entreprises et obligations ainsi que l'actif et le passif liés à ces pouvoirs du conseil sont dévolus aux municipalités, qui sont investies des pouvoirs aux termes de l'alinéa a), le jour où le règlement municipal entre en vigueur;
- c) les règlements municipaux et les résolutions du conseil sont maintenus en vigueur en tant que règlements municipaux et résolutions des municipalités, qui sont investies des pouvoirs aux termes de l'alinéa a), le jour où le règlement municipal portant sur la prise en charge des pouvoirs entre en vigueur, et demeurent en vigueur jusqu'à ce qu'ils soient abrogés ou modifiés.

AL LEACH

*Minister of Municipal Affairs and Housing  
Ministre des Affaires municipales et du Logement*

Dated at Toronto on August 15, 1996.  
Fait à Toronto le 15 août 1996.

35/96

# ONTARIO REGULATION 378/96 made under the MUNICIPAL ACT

Made: August 15, 1996  
Filed: August 15, 1996

Amending O. Reg. 216/96  
(Restructuring Proposals)

Note: Ontario Regulation 216/96 has not previously been amended.

1. Ontario Regulation 216/96 is amended by adding the following French version:

## PROPOSITIONS DE RESTRUCTURATION

1. (1) Les définitions qui suivent s'appliquent au présent règlement.

«double majorité» S'entend au sens des paragraphes (2), (3), (4) et (5).  
(«double majority»)

# RÈGLEMENT DE L'ONTARIO 378/96 pris en application de la LOI SUR LES MUNICIPALITÉS

pris le 15 août 1996  
déposé le 15 août 1996

modifiant le Règl. de l'Ont. 216/96  
(Propositions de restructuration)

Remarque : Le Règlement de l'Ontario 216/96 n'a pas été modifié antérieurement.

1. Le Règlement de l'Ontario 216/96 est modifié par adjonction de la version française suivante :

«partie» À l'égard d'un comté, s'entend d'une partie du comté à des fins municipales. («part»)

(2) La double majorité des municipalités locales est la majorité des municipalités locales qui regroupent plus de la moitié des électeurs de l'ensemble des municipalités locales.



(3) La double majorité d'un groupe formé de municipalités locales et d'organismes locaux de territoires non érigés en municipalité est la majorité du groupe qui regroupe plus de la moitié des électeurs de l'ensemble des municipalités locales et des organismes locaux qui forment le groupe.

(4) La double majorité des comtés est la majorité des comtés qui regroupent plus de la moitié des électeurs de l'ensemble des comtés.

(5) Pour l'application des paragraphes (2), (3) et (4), le nombre d'électeurs d'une municipalité locale, d'un territoire non érigé en municipalité ou d'un comté, en ce qui concerne une proposition de restructuration, est établi de la façon suivante :

1. Dans les municipalités locales, les comtés et les territoires non érigés en municipalité où un conseil scolaire a compétence, le nombre d'électeurs est le nombre de personnes dont le nom figure sur la liste électorale, telle qu'elle est modifiée jusqu'à la clôture du scrutin pour la dernière élection ordinaire tenue aux termes de la *Loi sur les élections municipales* et précédant la présentation d'une proposition de restructuration au ministre en vertu du paragraphe 25.2 (2) de la Loi.

2. Dans un territoire non érigé en municipalité où aucun conseil scolaire n'a compétence, le nombre d'électeurs est le nombre de particuliers dont le nom est inscrit, à titre de propriétaire ou de locataire dans le territoire non érigé en municipalité, dans le registre d'imposition foncière provinciale tenu aux termes de la *Loi sur l'impôt foncier provincial*. Le registre employé est celui en date du 31 décembre suivant la date de clôture du scrutin pour la dernière élection ordinaire tenue aux termes de la *Loi sur les élections municipales*. Si ce registre n'est pas encore prêt au moment de la présentation de la proposition de restructuration au ministre, le registre employé est celui en date du 31 décembre précédant la date de clôture du scrutin.

2. (1) Si un territoire non érigé en municipalité doit, par suite d'une proposition de restructuration, faire partie d'une municipalité locale, toutes les personnes suivantes qui ont la citoyenneté canadienne et qui sont âgées d'au moins 18 ans forment un organisme local pour l'application de l'article 25.2 de la Loi :

1. Les résidents permanents du territoire non érigé en municipalité.
2. Les propriétaires et les locataires de biens situés dans le territoire non érigé en municipalité.
3. Les conjoints des propriétaires et des locataires de biens situés dans le territoire non érigé en municipalité.

(2) Il ne peut y avoir qu'un seul organisme local aux termes du paragraphe (1) pour tout territoire non érigé en municipalité qui doit, par suite d'une proposition de restructuration, faire partie de la même municipalité locale.

3. (1) Les genres de restructuration suivants sont établis en tant que tels pour l'application du paragraphe 25.2 (2) de la Loi :

1. La fusion de municipalités locales ou l'annexion d'une partie d'une municipalité locale ou d'un territoire non érigé en municipalité à une municipalité locale.
2. La séparation d'une municipalité locale ou d'une partie d'une municipalité locale d'un comté.
3. La jonction d'une municipalité locale, d'une partie d'une municipalité locale ou d'un territoire non érigé en municipalité à un comté.

4. La constitution ou la dissolution d'un comté.

5. La fusion de comtés.

(2) Le paragraphe (1) ne comprend pas ce qui suit :

- a) la restructuration à la suite de laquelle une partie d'un comté ne fait pas partie d'une municipalité locale;
- b) la restructuration à la suite de laquelle une partie d'une municipalité locale :
  - (i) soit fait partie de plus d'un comté,
  - (ii) soit fait partie d'un comté si une autre partie de la municipalité locale n'en fait pas partie;
- c) la restructuration à la suite de laquelle un comté n'est formé que d'une seule municipalité locale.

4. (1) Le présent article s'applique à une proposition de restructuration à la suite de laquelle une municipalité locale résulte, selon le cas :

- a) d'une fusion de municipalités locales;
- b) d'une annexion à la municipalité locale;
- c) d'une combinaison de telles fusions ou annexions.

(2) L'appui suivant est nécessaire pour l'aspect de la proposition de restructuration visé au paragraphe (1) :

1. L'appui de la double majorité du groupe formé de ce qui suit :
  - i. les municipalités locales, dont une partie doit faire partie de la municipalité locale résultant de la fusion ou de l'annexion, ou d'une combinaison des deux,
  - ii. si un territoire non érigé en municipalité doit faire partie de la municipalité locale résultant de la fusion ou de l'annexion, ou d'une combinaison des deux, l'organisme local de ce territoire.
2. Si la municipalité locale résultant de la fusion ou de l'annexion, ou d'une combinaison des deux, doit faire partie, selon le cas :
  - i. d'un comté résultant d'une fusion de comtés, l'appui de la double majorité des comtés qui doivent être fusionnés,
  - ii. d'un comté qui existe avant la proposition de restructuration, mais qui ne doit pas être fusionné, l'appui de ce comté.
3. Si une partie d'une municipalité séparée doit faire partie de la municipalité locale résultant de la fusion ou de l'annexion, ou d'une combinaison des deux, l'appui de la municipalité séparée.

5. (1) Si une proposition de restructuration doit entraîner la séparation, à des fins municipales, d'une municipalité locale, ou d'une partie de celle-ci, d'un comté, l'appui suivant est nécessaire pour cet aspect de la proposition :

1. Si la municipalité locale ou une partie de celle-ci :
  - i. doit être fusionnée ou annexée, ou si une localité doit lui être annexée, l'appui nécessaire prévu à la disposition 1 du paragraphe 4 (2),
  - ii. ne doit être ni fusionnée ni annexée, et qu'aucune localité ne doit lui être annexée, l'appui de la municipalité locale.



2. Si le comté duquel la municipalité locale, ou une partie de celle-ci, doit être séparée :

- i. doit, par suite de la proposition de restructuration, être fusionné avec un ou plusieurs autres comtés, l'appui de la double majorité des comtés faisant l'objet de la fusion,
- ii. existe avant la proposition de restructuration, mais n'est pas fusionné, l'appui du comté.

(2) Si des parties d'une municipalité locale doivent, par suite d'une proposition de restructuration, être séparées d'un comté, mais qu'elles ne doivent pas faire partie de la même municipalité locale après la mise en œuvre de la proposition, l'appui exigé aux termes du paragraphe (1) est nécessaire pour la séparation de chaque partie.

6. (1) Si une proposition de restructuration doit entraîner la jonction, à des fins municipales, d'une municipalité locale, d'une partie d'une municipalité locale ou d'un territoire non érigé en municipalité à un comté, autrement que par la constitution du comté ou la fusion de comtés, l'appui suivant est nécessaire pour cet aspect de la proposition :

1. Si la municipalité locale, la partie de la municipalité locale ou le territoire non érigé en municipalité :

- i. doit être fusionné ou annexé, ou si une localité doit lui être annexée, l'appui nécessaire prévu aux dispositions 1 et 3 du paragraphe 4 (2),
- ii. ne doit être ni fusionné ni annexé, et qu'aucune localité ne doit lui être annexée, l'appui de la municipalité locale.

2. Si le comté auquel doit être joint la municipalité locale, la partie de la municipalité locale ou le territoire non érigé en municipalité :

- i. doit résulter d'une fusion de comtés, l'appui de la double majorité des comtés faisant l'objet de la fusion,
- ii. existe avant la proposition de restructuration, mais n'est pas fusionné, l'appui du comté.

(2) Si des parties d'une municipalité locale doivent, par suite d'une proposition de restructuration, être jointes à un comté, mais qu'elles ne doivent pas faire partie de la même municipalité locale après la mise en œuvre de la proposition, l'appui exigé aux termes du paragraphe (1) est nécessaire pour la jonction de chaque partie.

7. Si une proposition de restructuration doit entraîner la constitution d'un comté, l'appui suivant est nécessaire pour cet aspect de la proposition :

1. L'appui de la double majorité du groupe formé de ce qui suit :

- i. les municipalités locales, dont une partie doit faire partie du comté constitué,
- ii. si un territoire non érigé en municipalité doit faire partie du comté constitué, les organismes locaux de ce territoire.

2. Si une partie d'une municipalité séparée doit faire partie du comté constitué, l'appui de la municipalité séparée.

8. Si une proposition de restructuration doit entraîner la dissolution d'un comté, l'appui suivant est nécessaire pour cet aspect de la proposition :

1. L'appui du comté.

2. L'appui de la double majorité des municipalités locales qui font partie du comté, à l'exception de celles qui doivent, par suite de la proposition de restructuration, être séparées en entier du comté à des fins municipales.

9. Si une proposition de restructuration doit entraîner la fusion de comtés, l'appui suivant est nécessaire pour cet aspect de la proposition :

1. L'appui de la double majorité des comtés faisant l'objet de la fusion.

10. (1) Une municipalité locale ou un comté peut appuyer une proposition de restructuration par voie de règlement municipal ou de résolution.

(2) Les règles suivantes s'appliquent à l'égard de l'appui d'un comté :

1. Si la proposition de restructuration doit entraîner la séparation, à des fins municipales, de la totalité d'une municipalité locale du comté, les représentants de la municipalité locale au conseil de comté n'ont pas le droit de voter lors d'un vote visant à déterminer si le comté appuiera ou non un aspect de la proposition de restructuration, autre que la séparation de la municipalité locale du comté.

2. Le quorum pour la tenue d'un vote visant à déterminer si un comté appuiera ou non un aspect d'une proposition de restructuration est formé de la majorité des représentants au conseil de comté qui ont le droit de voter sur cette question.

3. La question de savoir si un comté appuiera ou non un aspect d'une proposition de restructuration est tranchée par la majorité des voix exprimées par les représentants au conseil de comté qui ont le droit de voter sur la question.

11. (1) La question de savoir si l'organisme local d'un territoire non érigé en municipalité appuie ou non une proposition de restructuration est tranchée par la majorité des voix exprimées lors d'une assemblée convoquée conformément à la procédure décrite au paragraphe (3).

(2) Ont le droit de voter les personnes qui ont la citoyenneté canadienne, qui sont âgées d'au moins 18 ans et qui sont, selon le cas :

- a) résidents permanents du territoire non érigé en municipalité;
- b) propriétaires ou locataires de biens situés dans le territoire non érigé en municipalité;
- c) conjoints de propriétaires ou de locataires de biens situés dans le territoire non érigé en municipalité.

(3) La procédure à suivre pour la tenue d'une assemblée visant à déterminer si l'organisme local d'un territoire non érigé en municipalité appuie ou non une proposition est la suivante :

1. Toute personne qui a le droit de voter peut convoquer une assemblée si elle en a été chargée, par écrit, par au moins neuf autres personnes qui ont le droit de voter.

2. L'assemblée se tient dans le territoire non érigé en municipalité ou dans une municipalité locale adjacente.

3. La personne qui convoque une assemblée donne un avis de cette assemblée au moins 14 jours à l'avance de la façon suivante :

- i. par publication dans un journal qu'elle estime être un journal de grande diffusion dans le territoire non érigé en municipalité,

- ii. si elle est d'avis qu'un tel journal n'existe pas, par un autre moyen qui, selon elle, donnera un avis adéquat de l'assemblée aux personnes qui ont le droit de voter.
4. L'avis de l'assemblée indique ce qui suit :
- i. l'objet de l'assemblée,
  - ii. les lieu, date et heure de l'assemblée,
  - iii. les conditions à remplir pour avoir le droit de voter à l'assemblée,
  - iv. les lieu, dates et heures où il est possible d'examiner une copie de la proposition de restructuration comme l'exige la disposition 5.
5. La personne qui convoque une assemblée veille à ce qu'une copie de la proposition de restructuration puisse être examinée dans le territoire non érigé en municipalité ou dans une municipalité locale adjacente aux lieu, dates et heures qu'elle estime raisonnables.

6. L'assemblée est présidée par une personne qui a le droit de voter et qui a été élue à ce poste par les personnes qui ont le droit de voter présentes à l'assemblée.

7. Le président de l'assemblée tient auprès des personnes présentes, de la manière qu'il décide, un vote visant à déterminer si la proposition de restructuration reçoit ou non l'appui nécessaire. Il enregistre les résultats du vote de même que le nombre de voix exprimées qui sont favorables à la proposition et le nombre de celles qui y sont opposées.

(4) Si plus d'une assemblée est tenue avant la présentation d'une proposition de restructuration au ministre et que les résultats des différents votes sont incompatibles, la décision de l'organisme local est celle qui a été prise lors de l'assemblée où le plus grand nombre de voix ont été exprimées.

(5) Pour l'application du paragraphe (4), les voix exprimées comprennent les voix favorables à la proposition et celles qui y sont opposées, mais ne comprennent pas les bulletins de vote détériorés.

AL LEACH  
Minister of Municipal Affairs and Housing  
Ministre des Affaires municipales et du Logement

Dated at Toronto on August 15, 1996.  
Fait à Toronto le 15 août 1996.

35/96

**ONTARIO REGULATION 379/96**  
made under the  
**MUNICIPAL ACT**

Made: August 15, 1996  
Filed: August 15, 1996

Amending O. Reg. 215/96  
(Assumption of Powers)

Note: Ontario Regulation 215/96 has not previously been amended.

1. Ontario Regulation 215/96 is amended by adding the following French version:

**RÈGLEMENT DE L'ONTARIO 379/96**  
pris en application de la  
**LOI SUR LES MUNICIPALITÉS**

pris le 15 août 1996  
déposé le 15 août 1996

modifiant le Règl. de l'Ont. 215/96  
(Prise en charge de pouvoirs)

Remarque : Le Règlement de l'Ontario 215/96 n'a pas été modifié antérieurement.

1. Le Règlement de l'Ontario 215/96 est modifié par adjonction de la version française suivante :

**PRISE EN CHARGE DE POUVOIRS**

1. Dans le présent règlement, l'expression «services et installations de développement économique» s'entend des services et installations qui peuvent être fournis en vertu des dispositions suivantes :

1. Les articles 112, 112.1 et 112.2, les dispositions 18, 22 et 59 de l'article 207 et la disposition 57 de l'article 210 de la *Loi sur les municipalités*.
2. L'article 114 de la *Loi sur le comté d'Oxford*.
3. L'article 113 de la *Loi sur la municipalité de district de Muskoka*.

4. L'article 271 de la *Loi sur la municipalité de la communauté urbaine de Toronto*.

5. Les paragraphes 34 (1) et (2) de la *Loi sur la municipalité régionale de Durham*.

6. L'article 40 de la *Loi sur la municipalité régionale de Haldimand-Norfolk*.

7. Les paragraphes 32 (1) et (2) de la *Loi sur la municipalité régionale de Halton*.

8. Les paragraphes 49 (1) et (2) de la *Loi sur la municipalité régionale de Hamilton-Wentworth*.

9. L'article 32 de la *Loi sur la municipalité régionale de Niagara*.



10. Les articles 49.1 et 51 de la *Loi sur la municipalité régionale d'Ottawa-Carleton*.

11. L'article 31 de la *Loi sur la municipalité régionale de Peel*.

12. L'article 42 de la *Loi sur la municipalité régionale de Sudbury*.

13. L'article 37 de la *Loi sur la municipalité régionale de Waterloo*.

14. L'article 31 de la *Loi sur la municipalité régionale de York*.

2. Les services et installations qui suivent sont prescrits comme étant les services et installations à l'égard desquels une municipalité de palier supérieur peut prendre en charge des pouvoirs locaux en vertu de l'article 209.2 de la Loi :

1. Les services et installations de protection contre les incendies et de prévention de ceux-ci.
2. Les services et installations de transport en commun.
3. Les services et installations de délivrance de permis pour l'exercice d'activités commerciales.

4. Les services et installations de développement économique au sens de l'article 1.

5. Les services et installations de captage, de transport, de traitement et d'élimination des eaux d'égout.

6. Les services et installations de production et de distribution de l'eau, ainsi que d'approvisionnement en eau.

3. Les services et installations qui suivent sont prescrits comme étant les services et installations à l'égard desquels une municipalité locale peut prendre en charge des pouvoirs de palier supérieur en vertu de l'article 209.4 de la Loi :

1. Les services et installations de protection contre les incendies et de prévention de ceux-ci.
2. Les services et installations de transport en commun.
3. Les services et installations de délivrance de permis pour l'exercice d'activités commerciales.
4. Les services et installations de développement économique au sens de l'article 1.

AL LEACH

*Minister of Municipal Affairs and Housing  
Ministre des Affaires municipales et du Logement*

Dated at Toronto on August 15, 1996.  
Fait à Toronto le 15 août 1996.

35/96

#### ONTARIO REGULATION 380/96 made under the MUNICIPAL ACT

Made: August 15, 1996  
Filed: August 15, 1996

Amending O. Reg. 25/96  
(Dissolution of Local Boards)

Note: Since it was made, Ontario Regulation 25/96 has been amended by Ontario Regulation 218/96.

1. Ontario Regulation 25/96 is amended by adding the following French version:

#### DISSOLUTION DE CONSEILS LOCAUX

1. L'article 210.4 de la Loi ne confère pas à une municipalité le pouvoir de dissoudre les conseils locaux suivants :

1. Une société au sens de l'article 3 de la *Loi sur les services à l'enfance et à la famille*.
2. Un conseil d'administration de district de l'aide sociale créé en vertu de la *Loi sur les conseils d'administration de district de l'aide sociale*.

#### RÈGLEMENT DE L'ONTARIO 380/96 pris en application de la LOI SUR LES MUNICIPALITÉS

pris le 15 août 1996  
déposé le 15 août 1996

modifiant le Règl. de l'Ont. 25/96  
(Dissolution de conseils locaux)

Remarque : Depuis qu'il a été pris, le Règlement de l'Ontario 25/96 a été modifié par le Règlement de l'Ontario 218/96.

1. Le Règlement de l'Ontario 25/96 est modifié par adjonction de la version française suivante :

3. Un conseil de santé au sens de l'article 1 de la *Loi sur la protection et la promotion de la santé*.

4. Un comité de gestion et un conseil de gestion créés en vertu de la *Loi sur les foyers pour personnes âgées et les maisons de repos*.

5. Un conseil au sens de l'article 1 de la *Loi sur les bibliothèques publiques*.

6. Une commission de services publics qui est créée en vertu de la *Loi sur les services publics* ou de toute autre loi et est chargée de la distribution de la puissance ou de l'énergie électriques et de l'approvisionnement en celles-ci.

7. Un conseil d'aménagement créé en vertu de la Loi sur l'aménagement du territoire.

8. Un office d'aménagement municipal créé en vertu de la Loi sur l'aménagement du territoire.

AL LEACH  
Minister of Municipal Affairs and Housing  
Ministre des Affaires municipales et du Logement

Dated at Toronto on August 15, 1996.  
Fait à Toronto le 15 août 1996.

35/96

**ONTARIO REGULATION 381/96**  
made under the  
**MUNICIPAL ACT**

Made: August 15, 1996  
Filed: August 15, 1996

Amending O. Reg. 27/96  
(Licensing Powers)

Note: Ontario Regulation 27/96 has not previously been amended.

**1. Ontario Regulation 27/96 is amended by adding the following French version:**

**RÈGLEMENT DE L'ONTARIO 381/96**  
pris en application de la  
**LOI SUR LES MUNICIPALITÉS**

pris le 15 août 1996  
déposé le 15 août 1996

modifiant le Règl. de l'Ont. 27/96  
(Pouvoirs en matière de délivrance de permis)

Remarque : Le Règlement de l'Ontario 27/96 n'a pas été modifié antérieurement.

**1. Le Règlement de l'Ontario 27/96 est modifié par adjonction de la version française suivante :**

**POUVOIRS EN MATIÈRE DE DÉLIVRANCE DE PERMIS**

1. La partie XVII.1 de la Loi ne confère pas à une municipalité locale le pouvoir d'adopter un règlement municipal pour assujettir à l'obtention de permis, réglementer ou régir l'exploitation d'un foyer de groupe au sens du paragraphe 240 (1) de la Loi.

2. (1) La partie XVII.1 de la Loi ne confère pas à une municipalité locale le pouvoir d'adopter un règlement municipal pour assujettir à l'obtention de permis, réglementer ou régir la location d'une unité d'habitation.

(2) Pour l'application du paragraphe (1), l'expression «unité d'habitation» s'entend d'une unité qui :

- a) se compose d'un ensemble autonome de pièces qui se trouve dans un bâtiment ou une construction;
- b) sert de local d'habitation;
- c) comprend des installations de cuisine et de salle de bains dont l'usage est réservé aux occupants de l'unité;
- d) sert de logement unifamilial, ce qui comprend une unité dont aucun occupant n'a la possession exclusive d'une partie de l'unité;
- e) comporte un moyen d'évacuation vers l'extérieur du bâtiment ou de la construction, lequel peut comprendre le passage par une autre unité d'habitation.

AL LEACH  
Minister of Municipal Affairs and Housing  
Ministre des Affaires municipales et du Logement

Dated at Toronto on August 15, 1996.  
Fait à Toronto le 15 août 1996.

35/96



**ONTARIO REGULATION 382/96**

made under the  
**MUNICIPAL ACT**

Made: August 15, 1996

Filed: August 15, 1996

Amending O. Reg. 26/96  
("Fees and Charges" By-Laws)

Note: Since it was made, Ontario Regulation 26/96 has been amended by Ontario Regulation 217/96.

1. Ontario Regulation 26/96 is amended by adding the following French version:

**RÈGLEMENTS MUNICIPAUX RELATIFS  
AUX DROITS ET FRAIS**

1. L'article 220.1 de la Loi ne confère pas à une municipalité ni à un conseil local le pouvoir d'imposer des droits ou des frais à une catégorie de personnes constituée uniquement de la Couronne.

2. L'article 220.1 de la Loi ne confère pas à une municipalité ni à un conseil local le pouvoir d'imposer des droits ou des frais à la Couronne :

- a) pour assurer la sécurité des tribunaux aux termes de l'article 137 de la *Loi sur les services policiers* ou autrement;

b) pour escorter et transporter les détenus.

3. L'article 220.1 de la Loi ne confère pas à une municipalité ni à un conseil local le pouvoir d'imposer des droits ou des frais pour obtenir des recettes afin de couvrir les coûts en immobilisations nets liés à la croissance au sens de l'article 1 de la *Loi sur les redevances d'exploitation*.

4. L'article 220.1 de la Loi ne confère pas à une municipalité ni à un conseil local le pouvoir d'imposer des droits ou des frais pour le traitement des demandes qui sont faites relativement à des questions d'aménagement en vertu de la *Loi sur l'aménagement du territoire*.

AL LEACH

*Minister of Municipal Affairs and Housing  
Ministre des Affaires municipales et du Logement*

Dated at Toronto on August 15, 1996.  
Fait à Toronto le 15 août 1996.

35/96

**ONTARIO REGULATION 383/96**  
made under the  
**GENERAL WELFARE ASSISTANCE ACT**

Made: July 17, 1996

Filed: August 16, 1996

Amending Reg. 537 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 537 has been amended by Ontario Regulations 84/96 and 353/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Clause 1 (9) (d) of Regulation 537 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

- (d) is not engaged full time in the business in which he or she is self-employed and satisfies the welfare administrator that he or she is complying with sections 4.1 and 4.3.

2. Section 4 of the Regulation is revoked and the following substituted:

4. (1) In determining whether a person in need is eligible for assistance and the amount of assistance payable or provided to the person, a welfare administrator shall take into account the budgetary requirements of the applicant or recipient and any of his or her dependants and the liquid assets and income that are available.

(2) No applicant, recipient or dependent adult in full-time attendance in a course of education or program of training shall be entitled to assistance unless his or her attendance is approved or required under subsection 7 (1), (3) or (4) or he or she is attending the course or program as a participant in a program established under subsection 4.3 (3).

(3) An applicant or recipient whose normal income is reduced because he or she is engaged in a labour dispute shall be deemed to be in receipt of a monthly income from employment equal to the amount he or she received from that source in the month before his or her income was first affected by the dispute.

(4) Subsection (3) does not apply if the applicant or recipient has resigned or been dismissed from employment.

(5) If the welfare administrator is not satisfied that an applicant or recipient or his or her dependant is making reasonable efforts to obtain compensation or realize any financial resource or income that the person may be entitled to or eligible for, the welfare administrator may



determine that the person is not eligible for assistance or reduce the amount of assistance granted by the amount of the compensation, contribution, financial resource or income that in his or her opinion is available or would have been available to the person if the welfare administrator had been satisfied that the person was making reasonable efforts.

(6) For the purposes of subsection (5),

(a) any compensation or contribution to the support and maintenance of the applicant or recipient or his or her dependant, as the case may be, that may result from an undertaking given in respect of him or her under the *Immigration Act* (Canada) and regulations under it shall be considered to be compensation or a financial resource to which the person is entitled; and

(b) a retirement pension under the *Canada Pension Plan* or the *Quebec Pension Plan* (Quebec) that is available to a person before the month in which the person attains 65 years of age shall not be considered to be income to which that person is entitled.

(7) For the purposes of subsection (5), the proceeds of a loan guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or of a loan under the *Canada Student Financial Assistance Act* is a financial resource to which an applicant or recipient or his or her spouse may be entitled if he or she is in full-time attendance at a post-secondary institution.

(8) The welfare administrator shall determine that an applicant or recipient is not eligible for assistance if the applicant or recipient or his or her spouse is in full-time attendance at a post-secondary institution and fails to make reasonable efforts to obtain a loan guaranteed under section 8 of the *Ministry of Colleges and Universities Act* or a loan under the *Canada Student Financial Assistance Act*.

4.1 (1) In this section,

"individual" means an applicant, recipient or dependent adult, but does not include an unemployable person or a person 65 years of age or older.

(2) A welfare administrator shall refuse, cancel or reduce assistance in accordance with subsection (3) or (4) if,

(a) in the case of an individual who is unemployed,

(i) the individual refuses to undertake any full-time, part-time and casual employment for which he or she is physically capable; or

(ii) the individual is not making reasonable efforts to secure all such employment; and

(b) in the case of an individual who is employed, he or she refuses to undertake any other employment of which he or she is physically capable that would increase his or her income from employment or is not making reasonable efforts to secure such employment.

(3) For the purposes of clause (2) (a),

(a) if the individual is an applicant, assistance shall be refused for a period of three months;

(b) if the individual is a recipient with no dependants, assistance shall be cancelled for a period of three months; and

(c) in all other cases, the amount of assistance shall be reduced for a period of three months by an amount equal to the basic

allowance and shelter amount or the basic needs amount for the individual.

(4) For the purposes of clause (2) (b), the amount of assistance shall be reduced for a period of three months by the lesser of,

(a) the amount of income that in the opinion of the welfare administrator would have been available to the individual if he or she had undertaken other employment or made reasonable efforts to do so; and

(b) an amount equal to the basic allowance and shelter amount or the basic needs amount for the individual.

(5) Subsection (2) applies with respect to the following individuals only during vacation periods:

1. An individual who is participating full time in a basic education or job specific skills training activity under paragraph 2 of subsection 4.3 (3).

2. An individual who is in full-time attendance in a course of education or program of training approved by the welfare administrator under subsection 7 (1) or (3).

3. An individual who is eligible for assistance under subsection 7 (4) and is a full-time student described in subclause 7 (4) (b) (iii).

(6) The period for which assistance is refused, cancelled or reduced under this section in respect of an individual shall be six months rather than three months if assistance in respect of the individual has been previously refused, cancelled or reduced under this section or section 4.3.

(7) If assistance in respect of an individual is refused or cancelled under this section, it shall not be provided until the three or six month period, as the case may be, has expired and the individual makes a new application for assistance.

(8) If assistance in respect of an individual is reduced under this section, it shall not be re-instated to its unreduced level until the three or six month period, as the case may be, has expired and the recipient or dependent adult makes a request to the welfare administrator for the re-instatement.

(9) Subsection (2) does not apply with respect to an individual if the welfare administrator is satisfied that it is necessary and appropriate for the individual to remain at home for substantial periods of time to give personal care and supervision to one or more dependent children of the household and that,

(a) the individual is the only adult in the household able to give adequate personal care and supervision to the child or children;

(b) no alternative and adequate child care service that allows the child or children to remain part of the household is available or appropriate in the circumstances; and

(c) the individual is prevented from obtaining employment or other employment that would increase his or her income because of the time that he or she is required to remain at home giving personal care and supervision to the child or children.

(10) If, as a result of reductions to assistance under this section and sections 4.2 and 4.3, an applicant is not eligible for assistance or no assistance is payable to a recipient, the assistance shall be refused or cancelled until,

(a) as a result of the expiry of a three or six month period of reduction of assistance, the applicant would otherwise be



eligible for assistance or assistance would otherwise be payable to the recipient; and

(b) the applicant or recipient makes a new application for assistance.

4.2 (1) In this section,

"employment" includes self employment activities;

"individual" means an applicant, recipient or dependent adult other than a head of a family whose spouse is absent.

(2) If an individual refuses or resigns from employment without reasonable cause or is dismissed from employment because of wilful misconduct, disobedience or wilful neglect of duty that is not condoned by the employer,

(a) if the individual is a single person, assistance shall be refused or cancelled for a period of three months; and

(b) in all other cases, the amount of assistance shall be reduced by an amount equal to the basic allowance and shelter amount or the basic needs amount for that individual for a period of three months.

(3) The period for which assistance is refused, cancelled or reduced under this section in respect of an individual shall be six months rather than three months if assistance in respect of the individual has been previously refused, cancelled or reduced under this section.

(4) If assistance in respect of an individual is refused or cancelled under this section, it shall not be provided until the three or six month period, as the case may be, has expired and the individual makes a new application for assistance.

(5) If assistance in respect of an individual is reduced under this section, it shall not be re-instated to its unreduced level until the three or six month period, as the case may be, has expired and the recipient or dependent adult makes a request to the welfare administrator for the re-instatement.

(6) If the individual is an applicant or the dependent adult of an applicant, the period of three or six months shall be deemed to end three or six months after the time of the refusal, resignation or dismissal.

(7) This section applies with respect to the following individuals only during vacation periods:

1. An individual who is participating full time in a basic education or job specific skills training activity under paragraph 2 of subsection 4.3 (3).

2. An individual who is in full-time attendance in a course of education or program of training approved by the welfare administrator under subsection 7 (1).

3. An individual who is eligible for assistance under subsection 7 (4) and is a full-time student described in subclause 7 (4) (b) (iii).

(8) If, as a result of reductions to assistance under this section and sections 4.1 and 4.3, an applicant is not eligible for assistance or no assistance is payable to a recipient, the assistance shall be refused or cancelled until,

(a) as a result of the expiry of a three or six month period of reduction of assistance, the applicant would otherwise be eligible for assistance or assistance would otherwise be payable to the recipient; and

(b) the applicant or recipient makes a new application for assistance.

(9) A refusal, resignation or dismissal from employment which occurred before September 1, 1996 shall not be considered for the purposes of subsection (3).

4.3 (1) In this section,

"approved program" means a program established under subsection (3);

"individual" means an applicant, recipient or dependent adult but does not include an unemployable person, a head of a family whose spouse is absent or a person 65 years of age or older.

(2) This section applies with respect to the following individuals only during vacation periods and only with respect to that part of an approved program that involves participation in community participation activities:

1. An individual who is a student in full-time attendance in a course of education or program of training approved by the welfare administrator under subsection 7 (1).

2. An individual who is eligible for assistance under subsection 7 (4) and is a full-time student described in subclause 7 (4) (b) (iii).

(3) A welfare administrator, with the approval of the Director, shall establish a program which shall include all of the following:

1. Community participation activities, including community improvement and community service projects.

2. Employment support activities that may include basic education, job specific skills training or structured job search activities.

3. Employment placement activities.

(4) A welfare administrator may require an individual to participate in particular activities of an approved program under specified terms and conditions and for specified periods of time.

(5) A welfare administrator shall not require an individual to participate in community participation activities for more than a total of 70 hours in any given month.

(6) An individual may participate in a specified activity that he or she proposes and that is approved by the welfare administrator as part of an approved program.

(7) If an individual refuses to participate in an approved program without reasonable cause or if an individual is required to participate in an approved program and is not making reasonable efforts to fulfil those requirements,

(a) if the individual is an applicant, assistance shall be refused for a period of three months;

(b) if the individual is a single person who is a recipient, assistance shall be cancelled for three months; and

(c) in all other cases, the amount of assistance shall be reduced by an amount equal to the basic allowance and shelter amount or the basic needs amount for that individual for a period of three months.

(8) Subsection (7) does not apply with respect to a basic education or job specific skills training activity referred to in paragraph 2 of subsection (3).

(9) The period for which assistance is refused, cancelled or reduced under this section in respect of an individual shall be six months rather



than three months if assistance has been previously refused, cancelled or reduced under this section or section 4.1 in respect of the individual.

(10) If assistance in respect of an individual is refused or cancelled under this section, it shall not be provided until the three or six month period, as the case may be, has expired and the individual makes a new application for assistance.

(11) If assistance in respect of an individual is reduced under this section, it shall not be re-instated to its unreduced level until the three or six month period, as the case may be, has expired and the recipient or dependent adult makes a request to the welfare administrator for the re-instatement.

(12) If, as a result of reductions to assistance under this section and sections 4.1 and 4.2, an applicant is not eligible for assistance or no assistance is payable to a recipient, the assistance shall be refused or cancelled until,

(a) as a result of the expiry of a three or six month period of reduction of assistance, the applicant would otherwise be eligible for assistance or assistance would otherwise be payable to the recipient; and

(b) the applicant or recipient makes a new application for assistance.

**3. (1) Subsection 7 (1) of the Regulation is amended by striking out "Subject to subsection 1 (4) and section 4" at the beginning.**

**(2) Clause 7 (4.3) (b) of the Regulation is revoked and the following substituted:**

(b) the person is satisfying the requirements of sections 4, 4.1 and 4.3.

**(3) Subsection 7 (15) of the Regulation is revoked.**

**4. Subsections 11 (1) and (2) of the Regulation and the heading immediately preceding subsection 11 (1) are revoked.**

**5. Subsection 12 (1) of the Regulation is revoked and the following substituted:**

#### GENERAL ASSISTANCE

**12. (1) The amount of general assistance paid to or on behalf of an applicant or recipient who is,**

(a) a single person or a head of a family;

(b) not a resident in an institution other than a nursing home or hostel; and

(c) otherwise eligible for assistance,

shall be the amount by which his or her budgetary requirements determined in accordance with sections 13 and 31 exceed his or her income as determined in accordance with section 15.

**(1.1) For the purposes of this section, general assistance shall be paid,**

(a) by a municipality if the person resides within the municipality;

(b) by the council of an approved band, if the person is a member of the band and resides on the reserve of the band; or

(c) by the Province of Ontario, if the person resides in territory without municipal organization.

**6. The Regulation is further amended by adding the following section:**

#### NOTICE OF DECISIONS—GENERAL ASSISTANCE

**17.1 (1) A welfare administrator shall not refuse an application for general assistance or suspend or cancel general assistance until more than 10 days have elapsed after the welfare administrator has given notice of a proposal to do so, together with his or her reasons, to the applicant or recipient.**

(2) The notice shall inform the applicant or recipient that he or she may, within 10 days after receiving the notice, file with the welfare administrator written representations against the proposed action.

(3) The welfare administrator may carry out the proposed action if,

(a) the applicant or recipient does not file representations with the welfare administrator within 10 days after receiving the notice; or

(b) the applicant or recipient has filed representations and the welfare administrator has given consideration to them.

(4) If the welfare administrator intends to carry out the proposed action, he or she shall give notice of the decision, with reasons, to the applicant or recipient.

(5) Where the welfare administrator varies the amount of general assistance, he or she shall give notice of the variation, with reasons, to the recipient.

(6) The welfare administrator may give notice under this section by delivering it personally or by sending it by prepaid mail addressed to the applicant or recipient at his or her address last known to the welfare administrator.

(7) If notice is sent by mail, it shall be presumed to have been received on the third day after the day of mailing unless the person to whom it is given, acting in good faith, did not receive the notice until a later date because of absence, accident, illness or another cause beyond his or her control.

(8) A decision of the welfare administrator under this section shall be effective on the date fixed by the welfare administrator, regardless of whether that date is before or after the welfare administrator makes the decision.

(9) The *Statutory Powers Procedure Act* does not apply to proceedings of the welfare administrator under this section.

(10) This section does not apply with respect to a refusal of an application for assistance or cancellation of assistance on the death of the applicant or recipient.

(11) Subsections (1) to (4) apply with respect to a decision under subsection 4.1 (3) or (4), 4.2 (2) or 4.3 (7) to reduce the amount of assistance as if it were a decision to cancel assistance.

**7. (1) Subsection 18 (1) of the Regulation is amended by striking out "Subject to sections 4 and 6, items, services or payments of" at the beginning.**

**(2) Subsection 18 (2) of the Regulation is amended by striking out "Despite subsection (1) and clauses 4 (1) (b), (c) and (d)".**

**8. Section 20 of the Regulation is amended by adding the following subsection:**



(3) An incentive allowance shall not be paid under subsection (1) to or on behalf of a participant in an approved program under section 4.3.

**9. This Regulation comes into force on September 1, 1996.**

35/96

**ONTARIO REGULATION 384/96**  
made under the  
**EMPLOYMENT STANDARDS ACT**

Made: August 14, 1996  
Filed: August 16, 1996

Amending Reg. 325 of R.R.O. 1990  
(General)

Note: Regulation 325 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Subsection 2 (1) of Regulation 325 of the Revised Regulations of Ontario, 1990 is amended by adding the following clause:**

- (b.1) a participant in a program established under subsection 4.3 (3) of Regulation 537 of the Revised Regulations of Ontario, 1990 ("General") made under the *General Welfare Assistance Act* but only with respect to that part of the program that involves participating in community participation activities.

35/96

**ONTARIO REGULATION 385/96**  
made under the  
**OCCUPATIONAL HEALTH AND SAFETY ACT**

Made: August 14, 1996  
Filed: August 16, 1996

**JOINT HEALTH AND SAFETY COMMITTEES—  
EXEMPTION FROM REQUIREMENTS**

**1. In this Regulation,**

"ordinary worker" does not include a worker participating in community participation activities within a program established under subsection 4.3 (3) of Regulation 537 of the Revised Regulations of Ontario, 1990 ("General") made under the *General Welfare Assistance Act*;

"volunteer worker" means a worker who performs work or supplies a service but who receives no monetary compensation for doing so other than an allowance for expenses or an honorarium.

2. A workplace at which fewer than 20 ordinary workers are regularly employed is exempted from clause 9 (2) (a) of the Act.

3. A project at which fewer than 20 ordinary workers are regularly employed is exempted from clause 9 (2) (c) of the Act.

4. The following workplaces are exempt from subsection 9 (12) of the Act:

**RÈGLEMENT DE L'ONTARIO 384/96**  
pris en application de la  
**LOI SUR LES NORMES D'EMPLOI**

pris le 14 août 1996  
déposé le 16 août 1996

modifiant le Règl. 325 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Le Règlement 325 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

**1. Le paragraphe 2 (1) du Règlement 325 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de l'alinéa suivant :**

- b.1) le participant à un programme établi aux termes du paragraphe 4.3 (3) du Règlement 537 des Règlements refondus de l'Ontario de 1990 («General») pris en application de la *Loi sur l'aide sociale générale*, mais seulement à l'égard du volet Participation communautaire de ce programme;

1. A workplace at which fewer than 20 ordinary workers (who are not volunteer workers) are regularly employed.

2. A project at which fewer than 50 ordinary workers (who are not volunteer workers) are regularly employed.

**5. Ontario Regulations 334/95 and 39/96 are revoked.**

**6. This Regulation comes into force on September 1, 1996.**

35/96

**ONTARIO REGULATION 386/96**  
made under the  
**ONTARIO DRUG BENEFIT ACT**

Made: August 14, 1996  
Filed: August 16, 1996

Amending O. Reg. 201/96  
(General)

Note: Since January 1, 1996, Ontario Regulation 201/96 has been amended by Ontario Regulations 324/96, 336/96 and 375/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 1 of Ontario Regulation 201/96 is amended by adding the following subsection:**

(2) For the purposes of this Regulation, items 404, 405, 406 and 407 of Part III of the publication referred to in the definition of "Formulary"

in subsection (1) shall be deemed to have been replaced by the following:

404	2.5 mg Tab					
	00851795	Vasotec	FRS	.6753	.68	
405	5 mg Tab					
	00708879	Vasotec	FRS	.7988	.80	
406	10mg Tab					
	00670901	Vasotec	FRS	.9600	.96	
407	20 mg Tab					
	00670928	Vasotec	FRS	1.1583	1.16	

35/96

**ONTARIO REGULATION 387/96**  
made under the  
**DRUG INTERCHANGEABILITY AND**  
**DISPENSING FEE ACT**

Made: August 14, 1996

Filed: August 16, 1996

Amending Reg. 935 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 935 has been amended by Ontario Regulations 18/96, 177/96, 204/96, 337/96 and 376/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 1 of Regulation 935 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:**

(2) For the purposes of this Regulation, items 404, 405, 406 and 407 of Part III of the publication referred to in the definition of "Formulary" in subsection (1) shall be deemed to have been replaced by the following:

404	2.5 mg Tab					
	00851795	Vasotec	FRS	.6753	.68	
405	5 mg Tab					
	00708879	Vasotec	FRS	.7988	.80	
406	10mg Tab					
	00670901	Vasotec	FRS	.9600	.96	
407	20 mg Tab					
	00670928	Vasotec	FRS	1.1583	1.16	

35/96





# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—09—14

## ONTARIO REGULATION 404/96

made under the  
RETAIL SALES TAX ACT

Made: August 16, 1996

Filed: August 28, 1996

Amending Reg. 1012 of R.R.O. 1990

(Definitions by Minister, Exemptions, Forms and Rebates)

Note: Since January 1, 1996, Regulation 1012 has been amended by Ontario Regulation 267/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

### 1. Section 14 of Regulation 1012 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(7) For the purposes of paragraph 2.2 of subsection 7 (1) of the Act, telephone services that are acquired for domestic or family purposes are excluded from the exemption.

### 2. The Regulation is amended by adding the following section:

30. (1) The Minister may rebate to a person engaged in the business of farming the amount calculated under subsection (4) or (5) with respect to tangible personal property that is,

- (a) purchased on or after May 8, 1996 and not later than March 31, 1997; and
- (b) incorporated into structures to be used exclusively for farm purposes.

(2) Subsection (1) does not apply to a structure that is or will be on completion,

- (a) a dwelling house;
- (b) an office;
- (c) a residential garage;
- (d) a road or sidewalk; or
- (e) a bridge.

(3) A person engaged in the business of farming is not eligible for a rebate with respect to the purchase, lease or acquisition of an existing structure.

(4) If a person engaged in the business of farming applies for a rebate with respect to tangible personal property the person purchased, the amount of the rebate comprises the tax paid on the tangible personal property.

(5) If a person engaged in the business of farming applies for a rebate with respect to tangible personal property incorporated into a structure on or after May 8, 1996 and not later than March 31, 1997 under a written construction contract for the supply and incorporation of the property into the structure, the amount of the rebate is determined as follows:

1. For those payments made in satisfaction of the contract price that are subject to the tax imposed by Part IX of the *Excise Tax Act* (Canada), 3 per cent of the sum of those payments and that tax.

2. For all other payments made in satisfaction of the contract price, 3.4 per cent of those payments.

(6) No rebate shall be made under subsection (5) with respect to that portion of the contract price that is attributable to,

- (a) land or land improvement costs;
- (b) the value of performance bonds;
- (c) equipment rental charges;
- (d) charges for temporary facilities;
- (e) building permit fees;
- (f) demolition charges;
- (g) charges for development or project consulting services; or
- (h) the cost of tangible personal property eligible for exemption under any other section of the Act.

(7) An application for a rebate under this section shall be made in writing, and shall set out the information the Minister requires to determine the eligibility of the applicant for the rebate.

(8) No application for a rebate shall be made in an amount that is less than \$100 unless the application constitutes a final claim under this section.

(9) No rebate shall be made under this section unless the application for it is made on or before December 31, 1997.

3. (1) Section 1 shall be deemed to have come into force on July 1, 1996.

(2) Section 2 shall be deemed to have come into force on May 8, 1996.

ERNIE EVES  
Minister of Finance

Dated at Toronto on August 16, 1996.

37/96

**ONTARIO REGULATION 405/96**made under the  
**REGISTRY ACT**Made: August 28, 1996  
Filed: August 30, 1996**OFFICE HOURS**

1. Despite any other Regulation, the Land Registry Offices for the following Divisions shall be kept open from 9.30 o'clock in the forenoon until 5.30 p.m., local time, on August 30, 1996:

Land Titles Division of Peel (No. 43)  
Registry Division of Peel (No. 43)

Registry Division of York Region (No. 65)  
Land Titles Division of York Region (No. 65)

Registry Division of Metropolitan Toronto (No. 64)

Land Titles Division of Metropolitan Toronto (No. 66)

2. This Regulation is revoked on August 31, 1996.

IAN VEITCH  
*Director of Land Registration*

Dated at Toronto on August 28, 1996.

37/96

**ONTARIO REGULATION 406/96**made under the  
**MILK ACT**Made: August 16, 1996  
Filed: August 30, 1996

Amending Reg. 761 of R.R.O. 1990  
(Milk and Milk Products)

Note: Since January 1, 1996, Regulation 761 has been amended by Ontario Regulation 24/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Section 55 of Regulation 761 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsections:

(3.1) If a truckload of milk cannot be marketed because of the presence of an inhibitor and the milk of a producer with milk in the truckload is tested under section 52 and found to contain an inhibitor, the producer is liable to the marketing board in an amount equal to the value of the milk damaged plus the cost, including transportation costs, of disposing of the milk.

(3.2) If more than one producer is liable under subsection (3.1) in respect of the same truckload, each producer is liable in the same proportion that that producer's milk has to the volume of the damaged milk.

(2) Subsection 55 (12) of the Regulation is revoked and the following substituted:

(12) If the milk of a producer is rejected under subsection (7), (8), (9) or (10), the producer is also liable to pay the amount that the producer is otherwise liable to pay under subsection (1), (2), (3), (3.1), (4) or (5).

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

JIM WHEELER  
*Chair*

BILL MOORE  
*Secretary*

Dated at Toronto on August 16, 1996.

37/96



# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—09—21

## ONTARIO REGULATION 407/96 made under the MEDICINE ACT, 1991

Made: July 25, 1996  
Approved: September 4, 1996  
Filed: September 5, 1996

Amending O. Reg. 114/94  
(General)

Note: Ontario Regulation 114/94 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

### 1. Ontario Regulation 114/94 is amended by adding the following Part:

#### PART X FUNDING FOR THERAPY AND COUNSELLING

##### 41. In this Part,

"member" includes a former member.

42. (1) The alternative requirements that must be satisfied in order for a person to be eligible for funding under clause 85.7 (4) (b) of the Act are prescribed in this section.

##### (2) A person is eligible for funding for therapy or counselling if,

- (a) there is an admission made by a member in a statement to the College or in an agreement with the College that he or she sexually abused the person while the person was a patient of the member;
- (b) a member has been convicted under the *Criminal Code* (Canada) of sexually assaulting the person while the person was a patient of the member;
- (c) there is a finding made by a panel of the Discipline Committee on or after December 31, 1993 that the person was sexually abused by a member before December 31, 1993 while the person was a patient of the member;
- (d) there is a statement, contained in the written reasons of a committee of the College given after a hearing, that the person, while a patient, was sexually abused by a member; or
- (e) there is sufficient evidence presented to the Patient Relations Committee to support a reasonable belief that the person, while a patient, was sexually abused by a member.

(3) For the purposes of clauses (e), and without limiting the generality of that clause, the following kinds of evidence may support a reasonable belief that a person, while a patient, was sexually abused by a member:

- 1. Evidence that a notice of hearing was issued by the College and containing allegations that the person, while a patient, was

sexually abused by a member who died before a hearing was held.

- 2. Evidence of reports made with respect to the member under subsection 85.1 (1) of the *Health Professions Procedural Code*.
- 3. Evidence that corroborates the person's allegations of sexual abuse.

(4) A person is not eligible under subsection (2) unless the sexual abuse, as evidenced under clause (2) (a), (b), (c), (d) or (e), occurred in Ontario.

(5) Despite subsections (2), (3) and (4), a person is eligible for funding for therapy or counselling under this Part only if,

- (a) the person submits an application for funding to the Patient Relations Committee in the form provided by the College and, in the application, the person names the member who is alleged to have sexually abused the applicant;
- (b) the person submits to the Patient Relations Committee along with the application,
  - (i) a written undertaking by the applicant to keep confidential all information obtained through the application for funding process, including the fact that funding has been granted and the reasons given by the Committee for granting the funding, and
  - (ii) a written undertaking by the applicant to refrain from using any of the information referred to in subclause (i) for any collateral or ulterior purpose; and
- (c) the person adheres to the procedures followed by the Patient Relations Committee when determining whether the person has satisfied the requirements for eligibility for funding.

(6) A decision by the Patient Relations Committee that a person is eligible for funding for therapy or counselling does not constitute a finding against the member and shall not be considered by any other committee of the College dealing with the member.

43. Despite anything in section 42, a person who is otherwise eligible for funding for therapy or counselling under this Part is not eligible for funding if the therapy or counselling for which funding is requested relates to sexual abuse by a member that occurred before December 31, 1993 and if, in the opinion of the Patient Relations Committee,

- (a) the need for therapy or counselling does not result directly or indirectly from the abuse;
- (b) there are other sources of funding available;
- (c) the College's resources are insufficient to provide the funding; or
- (d) having regard to the criteria in clauses (a), (b) or (c), the granting of funding would not be just and equitable.

44. (1) The Patient Relations Committee shall require a therapist or counsellor who is providing therapy or counselling that is funded



through the program required under section 85.7 of the *Health Professions Procedural Code* to provide a written statement signed by him or her containing details of his or her training and experience and confirming that the therapy or counselling is being provided and that the funds received are being devoted only to that purpose.

(2) The Patient Relations Committee shall require a person who is receiving therapy or counselling that is funded through the program required under section 85.7 of the *Health Professions Procedural Code* to provide a written statement signed by him or her acknowledging that he or she is aware of the details of the training and experience of the therapist or counsellor and confirming that the therapy or counselling is being provided and that the funds received are being devoted only to that purpose.

COUNCIL OF THE COLLEGE OF  
PHYSICIANS AND SURGEONS OF ONTARIO:

HELEN GORDON  
President

MICHAEL DIXON  
Registrar

Dated at Toronto on July 25, 1996.

38/96

**ONTARIO REGULATION 408/96**  
made under the  
**LOCAL SERVICES BOARDS ACT**

Made: August 22, 1996  
Filed: September 5, 1996

Amending Reg. 737 of R.R.O. 1990  
(Local Services Boards)

Note: Since January 1, 1996, Regulation 737 has been amended by Ontario Regulation 153/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. The sixth paragraph of the Schedule to section 27.1 of Regulation 737 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

FIFTHLY: All of the Township of East Mills;

SIXTHLY: All of the Township of Pringle, except all of Lots 21, 22 and 23, Concessions XIII and XIV and all of Lots 24 to 35, both inclusive, Concessions X to XIV, both inclusive.

CHRIS HODGSON  
Minister of Northern Development and Mines

Dated at Toronto on August 22, 1996.

38/96

**ONTARIO REGULATION 409/96**  
made under the  
**HEALTH INSURANCE ACT**

Made: September 4, 1996  
Filed: September 6, 1996

Amending Reg. 552 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 552 has been amended by Ontario Regulations 111/96, 112/96, 114/96, 172/96, 173/96 and 339/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Clause (b) of the definition of "schedule of benefits" in subsection 1 (1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(b) the Ministry of Health publication dated March 8, 1994 and titled "Bulletin 4265",

(2) Section 1 of the Regulation is amended by adding the following subsection:

(3) For the purposes of this Regulation, the fee codes, description of services and fees payable for the following insured obstetrical services referred to on pages 76 and 77 of the schedule of benefits shall be deemed to read as follows:

#P006	Vaginal .....	318.11
#P020	Operative delivery i.e. mid-cavity rotation or assisted breech delivery .....	347.04
#P018	Caesarean section .....	381.68
#P041	Caesarean section including tubal interruption .....	404.82
P009	Attendance at labour with physician in attendance at delivery (not to be claimed by consultant(s)) .....	318.11

2. Sections 37.2 and 37.3 of the Regulation are revoked and the following substituted:

37.2 The basic fee payable for an insured service rendered by a physician in Ontario during a period set out in the Table to this section shall be decreased by the percentage set out opposite that period.

TABLE

Item	Period	Reduction
1.	On or after April 1, 1991 but before July 1, 1991	1.2%
2.	On or after April 1, 1993 but before April 1, 1994	2.812%
3.	On or after June 1, 1994 but before December 1, 1994	2.0%
4.	On or after December 1, 1994 but before April 1, 1995	6.0%

37.3 (1) The time at which a claim for payment is assessed by the General Manager is prescribed as a factor for the purposes of paragraph 7 of subsection 17.1 (5) of the Act.

(2) The basic fee payable by the Plan for an insured service rendered by a physician in Ontario and for which a claim is assessed by the General Manager on or after March 1, 1996 shall be decreased by 10 per cent.

37.4 (1) The fee payable for an insured service rendered by a physician shall be decreased in accordance with subsection (3) if the total amount payable for insured services rendered by the physician between the beginning of the fiscal year in which the insured service is rendered and the day the insured service is rendered is equal to or exceeds the threshold amount set out in Column 2 of the Table to this section that applies to the physician.

(2) For the purposes of this section, the threshold amount that applies to a physician is the amount indicated in Column 2, 3 or 4 of the Table to this section that corresponds to a designation referred to in Column 1 of the Table that, according to the Ontario health insurance plan physician threshold designation register maintained by the Ministry of Health, is held by the physician on the day an insured service is rendered.

(3) The fee payable for an insured service rendered by a physician shall be decreased under this section in accordance with the following rules:

- 1. If the total amount payable for insured services rendered by the physician between the beginning of the fiscal year in which the insured service is rendered and the day the insured service is rendered is equal to or exceeds the applicable threshold amount set out in Column 2 of the Table but is less than the applicable threshold amount set out in Column 3 of the Table, the fee payable for the insured service is two-thirds of the basic fee otherwise payable.
- 2. If the total amount payable for insured services rendered by the physician between the beginning of the fiscal year in which the insured service is rendered and the day the insured service is rendered is equal to or exceeds the applicable threshold amount set out in Column 3 of the Table but is less than the applicable threshold amount set out in Column 4 of the Table, the fee payable for the insured service is one-third of the basic fee otherwise payable.

3. If the total amount payable for insured services rendered by the physician between the beginning of the fiscal year in which the insured service is rendered and the day the insured service is rendered is equal to or exceeds the applicable threshold amount set out in Column 4 of the Table, the fee payable for the insured service is one-quarter of the basic fee otherwise payable.

(4) If a physician holds more than one designation on the day an insured service is rendered, the rules established under subsection (3) apply to decrease the fee payable for the insured service as if the only designation held by the physician were the designation that has the highest threshold amounts according to the Table to this section.

(5) For the purposes of this section, the total amount payable for insured services shall include the amounts payable for all insured services other than the following:

- 1. A service set out in Appendix E to the General Preamble to the schedule of benefits.
- 2. A service rendered under the Underserved Area Program of the Ministry of Health.

(6) Despite subsection (1), the fee payable for the following insured services shall not be decreased under this section:

- 1. A service set out in Appendix E to the General Preamble to the schedule of benefits.
- 2. A service rendered under the Underserved Area Program of the Ministry of Health.

(7) In this section,

“fiscal year” means the period from April 1 of each year to and including March 31 of the following year.

TABLE

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Designation	Total Amount Payable	Total Amount Payable	Total Amount Payable
Anesthesia	\$271,000.00	\$296,000.00	\$321,000.00
Cardiac Surgery	384,000.00	409,000.00	434,000.00
Cardiology	398,000.00	423,000.00	448,000.00
Clinical Biochemistry	251,000.00	276,000.00	301,000.00
Clinical Immunology	253,000.00	278,000.00	303,000.00
Dermatology	399,000.00	424,000.00	449,000.00
Diagnostic Radiology	327,000.00	352,000.00	377,000.00
Emergency Medicine	251,000.00	276,000.00	301,000.00
Gastroenterology	384,000.00	409,000.00	434,000.00
General Practice	251,000.00	276,000.00	301,000.00
General Surgery	356,000.00	381,000.00	406,000.00
Geriatrics	251,000.00	276,000.00	301,000.00
Haematology	251,000.00	276,000.00	301,000.00
Internal Medicine	293,000.00	318,000.00	343,000.00
Microbiology	251,000.00	276,000.00	301,000.00
Neurology	286,000.00	311,000.00	336,000.00
Neurosurgery	341,000.00	366,000.00	391,000.00



COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Designation	Total Amount Payable	Total Amount Payable	Total Amount Payable
Nuclear Medicine	251,000.00	276,000.00	301,000.00
Obstetrics and Gynaecology	375,000.00	400,000.00	425,000.00
Ophthalmology	426,000.00	451,000.00	476,000.00
Orthopaedic Surgery	382,000.00	407,000.00	432,000.00
Otolaryngology	390,000.00	415,000.00	440,000.00
Pathology	251,000.00	276,000.00	301,000.00
Pediatrics	292,000.00	317,000.00	342,000.00
Physical Medicine	251,000.00	276,000.00	301,000.00
Plastic Surgery	357,000.00	382,000.00	407,000.00
Psychiatry	251,000.00	276,000.00	301,000.00
Respiratory Disease	354,000.00	379,000.00	404,000.00
Rheumatology	253,000.00	278,000.00	303,000.00
Therapeutic Radiology	251,000.00	276,000.00	301,000.00
Thoracic Surgery	339,000.00	364,000.00	389,000.00
Urology	434,000.00	459,000.00	484,000.00

3. (1) Subject to subsection (2), this Regulation shall be deemed to have come into force on March 31, 1996.

(2) Subsection 1 (2) and section 2 shall be deemed to have come into force on April 1, 1996.

38/96

**ONTARIO REGULATION 410/96**  
made under the  
**HEALTH INSURANCE ACT**

Made: September 4, 1996  
Filed: September 6, 1996

Amending Reg. 552 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 552 has been amended by Ontario Regulations 111/96, 112/96, 114/96, 172/96, 173/96, 339/96 and 409/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. The definition of "schedule of benefits" in subsection 1 (1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by striking out "and" at the end of clause (a), by adding "and" at the end of clause (b) and by adding the following clause before "but does not include":

(b.1) amendments to Appendix E to the General Preamble, as set out

in the Ministry of Health publication dated September 3, 1996 and titled "Bulletin #4291",

2. (1) Paragraph 1 of subsection 37.4 (5) of the Regulation is revoked and the following substituted:

1. A service set out in Appendix E to the General Preamble to the schedule of benefits, as amended by the Ministry of Health publication dated September 3, 1996 and titled "Bulletin #4291".

(2) Paragraph 1 of subsection 37.4 (6) of the Regulation is revoked and the following substituted:

1. A service set out in Appendix E to the General Preamble to the schedule of benefits, as amended by the Ministry of Health publication dated September 3, 1996 and titled "Bulletin #4291".

3. This Regulation shall be deemed to have come into force on June 1, 1996.

38/96



**ONTARIO REGULATION 411/96**

made under the

**HIGHWAY TRAFFIC ACT**

Made: August 30, 1996

Filed: September 6, 1996

Amending Reg. 604 of R.R.O. 1990  
(Parking)

Note: Since January 1, 1996, Regulation 604 has been amended by Ontario Regulations 71/96, 329/96 and 370/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Schedule 2 of Appendix B to Regulation 604 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Highway	Limits	Period	Maximum Period
2. Highway No. 11 in the City of Thunder Bay in the Territorial District of Thunder Bay	Between a point situate 244 metres measured westerly from its intersection with the centreline of the roadway known as Morgan Avenue and a point situate at the easterly limit of the roadway known as Garden Avenue.	From September 6, 1996 to September 9, 1996.	No parking at any time

2. Schedule 3 of Appendix B to the Regulation is amended by adding the following paragraph:

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Highway	Limits	Period	Maximum Period
18. Highway No. 17 in the City of Thunder Bay in the Territorial District of Thunder Bay	Between a point situate 244 metres measured westerly from its intersection with the roadway known as Morgan Avenue and a point situate at the easterly limit of the roadway known as Garden Avenue.	From September 6, 1996 to September 9, 1996.	No parking at any time

AL PALLADINI

*Minister of Transportation*

Dated at Toronto on August 30, 1996.

38/96

**ONTARIO REGULATION 412/96**

made under the

**HIGHWAY TRAFFIC ACT**

Made: August 2, 1996

Filed: September 6, 1996

Amending Reg. 631 of R.R.O. 1990  
(Yield Right-of-Way Signs in Territory  
Without Municipal Organization)

Note: Since January 1, 1996, Regulation 631 has been amended by Ontario Regulations 150/96, 151/96 and 368/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Schedule 50 to Regulation 631 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

**Schedule 50**

1. The highway known as Maple Street in the unorganized municipality of Esquega in the Territorial District of Algoma at its intersection with the highway known as King Street.

2. Southbound on King Street.

2. Ontario Regulation 368/96 is revoked.

AL PALLADINI

*Minister of Transportation*

Dated at Toronto on August 2, 1996.

38/96

**ONTARIO REGULATION 413/96**  
made under the  
**PLANNING ACT**

Made: September 6, 1996  
Filed: September 6, 1996

**ZONING AREAS—TOWN OF LISTOWEL**

1. The terms used in this Order shall have the same meaning as set out in "Section 3—Definitions" of Zoning By-law 92-27 of the Town of Listowel as amended to date.

2. Subject to section 3, every use of land and every erection or use of buildings or structures on the land described in section 6 is prohibited except the uses which are permitted in the "M2—General Industrial" zone in Zoning By-law 92-27 of the Town of Listowel as amended to date.

3. Despite section 2, the following uses shall not be permitted:

1. A dry cleaning plant.
2. A feed mill.
3. A flour mill.
4. A furniture refinishing operation.
5. A grain elevator.
6. A public works yard, garage or storage yard if the use involves the storage of salt or chemicals.
7. A steel supply business if the use involves any etching or galvanizing operations.

4. Subject to section 5, the uses permitted by this Order shall be subject to the requirements set out in subsections 5.1, 5.9, 5.10, 5.11, 5.12, 5.17, 5.18, 5.21, 19.2, 19.3 and 19.4 of Zoning By-law 92-27 of the Town of Listowel as amended to date.

5. Despite section 4, the maximum height of buildings or structures permitted by this Order shall be 20.12 metres (66 feet).

6. This Order applies to the land located in the Town of Listowel in the County of Perth being part of Lots 31 and 32, Concession 1 formerly

in the Township of Elma, County of Perth, more particularly described as:

That certain parcel of land and premises situate lying and being in the Town of Listowel formerly in the Township of Elma, in the County of Perth and Province of Ontario and being composed of the southerly parts of Lot Numbers 31 and 32 in the First Concession of the Township of Elma and being more particularly described as follows:

COMMENCING at the southwesterly corner of Lot Number 31;

THENCE northerly along the westerly limit of Lot Number 31 a distance of 1,590 feet;

THENCE easterly parallel to the southerly limit of Lot Number 31 a distance of 1,277 <sup>63</sup>/<sub>100</sub> feet more or less across Lots 31 and 32 to the lands of the Canadian National Railway right-of-way by instrument Numbers 2334 and 2335 now known as Part 2 on Reference Plan 44R-2853;

THENCE southerly along the said right-of-way a distance of 1,590 feet more or less to the southerly limit of the lot;

THENCE westerly along the southerly limit of Lot Numbers 31 and 32 a distance of 1,268 feet more or less to the point of commencement.

SAVING AND EXCEPTING THEREOUT,

FIRSTLY: that portion of said lot designated as Part 1 on Reference Plan 44R-938;

SECONDLY: those portions of said Lot 31 heretofore expropriated for highway widening by a plan filed by the Department of Highways of the Province of Ontario as Plan 863.

PETER BOLES  
Assistant Deputy Minister (Acting)  
Ministry of Municipal Affairs and Housing

Dated at Toronto on September 6, 1996.

38/96

# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—09—28

## ONTARIO REGULATION 414/96

made under the  
**PLANNING ACT**

Made: September 10, 1996

Filed: September 11, 1996

Revoking O. Reg. 355/95  
(Zoning Areas—City of Toronto, Municipality of  
Metropolitan Toronto)

1. Ontario Regulation 355/95 is revoked.

AL LEACH

*Minister of Municipal Affairs and Housing*

Dated at Toronto on September 10, 1996.

39/96

## ONTARIO REGULATION 415/96

made under the  
**PLANNING ACT**

Made: September 10, 1996

Filed: September 11, 1996

## ZONING AREAS—CITY OF TORONTO, MUNICIPALITY OF METROPOLITAN TORONTO

### ORDER DEEMED TO BE BY-LAW

1. (1) This Order shall be deemed for all purposes except the purposes of section 24 of the Act to be a by-law passed by the Council of the Corporation of the City of Toronto to further amend City of Toronto By-law 438-86, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto" as amended to the date this Order comes into force ("By-law 438-86"), with respect to the use of land and structures on

Ward's Island and Algonquin Island and shall be read in conjunction with By-law 438-86.

(2) The amendment to By-law 438-86 shall be deemed to be in force on the day this Order comes into force.

(3) The deemed by-law shall be referred to as by-law number 1996-0414 of the City of Toronto.

### INTERPRETATION

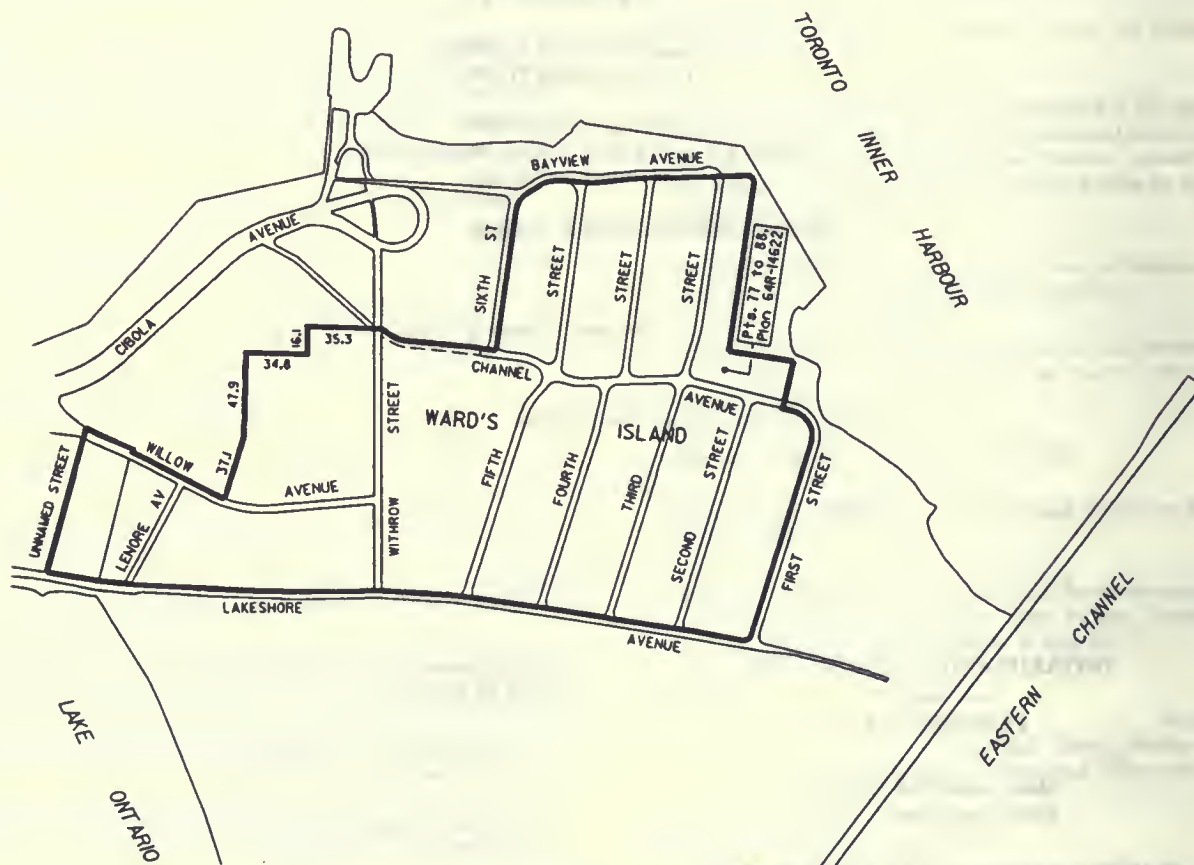
2. (1) The definition of "Algonquin Island Residential Area" in subsection 2 (1) of By-law 438-86 is amended by deleting the words "except for the lands municipally known in 1994 as 10 Nottawa Avenue, 4 Omaha Avenue, 6 Omaha Avenue and 27 Seneca Avenue".

(2) The definition of "Ward's Island Residential Area" in subsection 2 (1) of By-law 438-86 is deleted and the following substituted:

### "Ward's Island Residential Area"

means the part of the City of Toronto delineated by heavy lines and shown on the following map:





LANDS REFERRED TO AS THE  
"WARD'S ISLAND RESIDENTIAL AREA"

50 0 50  
METRES



CITY WORKS SERVICES  
ENGINEERING AND SURVEYS SECTION  
TORONTO JULY, 1996  
SEC/S2WARD.DGN  
FILE: 2402.53  
MAP No. 51F-323  
DRAWN: M.J.K.

## APPLICATION

3. Sections 3 to 10 of this Order apply to the following lands situated on the lands known as Algonquin Island and Ward's Island within the City of Toronto in The Municipality of Metropolitan Toronto, more particularly described as,

- (a) lands known municipally as of August 12, 1996 as 10 Nottawa Avenue, 4 and 6 Omaha Avenue, 27 Seneca Avenue, 7 and 21 Fifth Street, 7 and 13 Fourth Street, 4 Lenore Avenue, 9, 10, 11 and 13 Second Street and 1 and 3 Third Street, 4, 102 and 108 Lakeshore Avenue, 10 and 20 Withrow Street, 18 Wyandot Avenue and 101 Cibola Avenue; and
- (b) lands outlined by heavy lines on Plan 1 attached to, and forming part of, this Order as Schedule 1.

## APPLICABILITY OF BY-LAW 438-86

4. (1) The provisions of By-law 438-86 shall continue to apply to the *Algonquin Island Residential Area* and the *Ward's Island Residential Area*, except as otherwise provided for in this Order.

(2) The italicized expressions contained in this Order shall have the same meaning as the definitions contained in By-law 438-86, except as otherwise provided for in this Order.

## PERMITTED USES

5. Despite sections 5 (1) (f), 6 (1) (f) and 12 (2) 295 (a) of By-law 438-86, the following uses are permitted for the lands as set out in Section 3:

- 1. A *semi-detached house* on the lands known municipally on August 12, 1996 as 4 and 6 Omaha Avenue.
- 2. A *detached house* on each *lot* on the lands known municipally on August 12, 1996 as 10 Nottawa and 27 Seneca and on each *lot* on the lands shown on Plan 1.

6. (1) Despite section 12 (1) 385 of By-law 438-86, on the lands known municipally on August 12, 1996 as those addresses set out in Column A below, the uses existing on those lands as of April, 1996 are permitted in addition to the uses listed in the corresponding row in Column B, if the *residential gross floor area*, *non-residential gross floor area* or any combination thereof, does not exceed the amount set out in the corresponding row in Column C.

COLUMN A	COLUMN B	COLUMN C
Address	Proposed Use (s. refers to the By-law 438-86 section)	Maximum Floor Area (square metres)
102 Lakeshore Avenue	those uses in s. 12 (1) 385	310
108 Lakeshore Avenue	<i>senior citizens' facility</i>	205
101 Cibola Avenue	those uses in s. 12 (1) 385	190
10 & 20 Withrow Street	those uses in s. 12 (1) 385	358
18 Wyandot Avenue	those uses in s. 12 (1) 385	378

(2) For the purposes of subsection (1),

"*senior citizens' facility*" means a building used for community activities for senior citizens including, but not limited to, arts, crafts, physical, social, charitable and educational facilities, and not used for any residential or commercial purpose.

## DENSITY

7. (1) Plan 2 showing footprints of new buildings on 4 and 6 Omaha Avenue is attached to and forms part of this Order as Schedule 2.

(2) Despite subsection 6 (3) of By-law 438-86, no person shall erect or use a building or structure on any *lot* shown on Plan 2 that exceeds a *residential gross floor area* of 102 square metres.

## BUILDING FOOTPRINT—ALGONQUIN ISLAND

8. Despite sections 6 (3) Part II 1, 2, 3, 4, 5 and 8 and 12 (2) 295 (g), (i), (j), (l) and (n) of By-law 438-86, no person shall erect a building or structure on any *lot* shown on Plan 2, having any portion of such building or structure above *grade*, unless it is located within the heavy line shown on Plan 2.

## FRONT YARD SETBACK FOR NEW CONSTRUCTION—WARD'S ISLAND

9. Despite section 12 (2) 295 (g) of By-law 438-86, no person shall erect or use a building or structure on a *lot* shown on Plan 1, where any part of the building or structure is located closer to the *front lot line* than 3.5 metres.

## ACCESSORY BUILDINGS &amp; PERMITTED PROJECTIONS

10. Sections 8 and 9 of this Order do not apply to the type of structures permitted to project beyond the depth limit and into the required setback areas, as set out in sections 12 (2) 295 (r) and (s) of By-law 438-86.

## ZONING AND HEIGHT MAPS

11. (1) District Map 51F-323 contained in Appendix "A" of By-law 438-86, as amended, is further amended by redesignating the lands as shown and outlined by heavy lines on Plan 3 attached to and forming part of this Order as Schedule 3.

(2) Height and Minimum Lot Frontage Map 51F-323 contained in Appendix "B" of By-law No. 438-86, as amended, is further amended by designating the *height* limit for the lands as shown and outlined by heavy lines on Plan 4 attached to and forming part of this Order as Schedule 4.

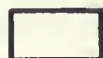
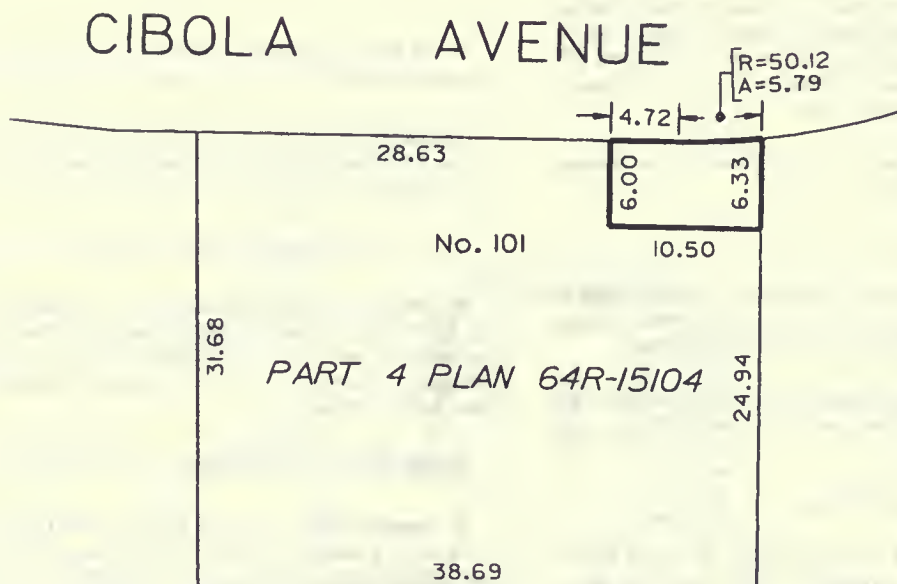
## FRONTAGE ON A STREET

12. Subsection 4 (11) of By-law 438-86 shall not apply to any *lot* shown on Plan 2.

## PARKING

13. Paragraph 12 (1) 387 of By-law 438-86 is amended by deleting the word "map" and substituting it with "maps" and adding the following map:

## MAP 2



LANDS REFERRED TO IN SECTION 12(1)387



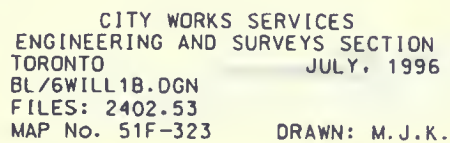
METRES



CITY WORKS SERVICES  
ENGINEERING AND SURVEYS SECTION  
TORONTO JULY, 1996  
SECTION/S121387B.DGN  
FILES: T40-Z1, 2402.53  
MAP No. 51F-312 DRAWN: M.J.K.



## PLAN 1





CITY WORKS SERVICES  
ENGINEERING AND SURVEYS SECTION  
TORONTO JULY, 1996  
BL/40MAHAIC.DGN  
FILES: T40-ZI  
MAP No. 51F-312 DRAWN: M.J.K.

## Schedule 3

## PLAN 3



50 0 50  
METRES

CITY WORKS SERVICES  
ENGINEERING AND SURVEYS SECTION  
TORONTO JULY, 1996  
BL/VARDIF.DON  
FILE# 2402.53  
MAP NO. 51F-323  
DRAWN: M.J.K.



## Schedule 4

## PLAN 4



CITY WORKS SERVICES  
ENGINEERING AND SURVEYS SECTION  
TORONTO JULY, 1996  
BL/WARD'S.DON  
FILE: 2402.93  
MAP No. 51F-323  
DRAWN: M.J.K.

AL LEACH  
Minister of Municipal Affairs and Housing

Dated at Toronto on September 10, 1996.

**ONTARIO REGULATION 416/96**  
made under the  
**MUNICIPAL BOUNDARY NEGOTIATIONS ACT**

Made: September 4, 1996

Filed: September 11, 1996

**VILLAGE OF STURGEON POINT, TOWNSHIP OF FENELON BOUNDARY**

1. On October 1, 1996, the portion of the Township of Fenelon described in the Schedule is annexed to the Village of Sturgeon Point.

2. All real property of The Corporation of the Township of Fenelon situate in the annexed area vests in The Corporation of the Village of Sturgeon Point on October 1, 1996.

3. On October 1, 1996, the by-laws of The Corporation of the Village of Sturgeon Point extend to the annexed area and the by-laws of The Corporation of the Township of Fenelon cease to apply to such area, except,

- (a) by-laws of The Corporation of the Township of Fenelon,
  - (i) that were passed under section 34 or 42 of the *Planning Act* or a predecessor of those sections,
  - (ii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Village of Sturgeon Point;

- (b) by-laws of The Corporation of the Township of Fenelon passed under section 3 of the *Development Charges Act* which shall remain in force until the earlier of,
  - (i) the date they are repealed by the council of The Corporation of the Village of Sturgeon Point, and
  - (ii) the date they expire under section 6 of the *Development Charges Act*;
- (c) by-laws of The Corporation of the Township of Fenelon passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and
- (d) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Fenelon.

4. The clerk of The Corporation of the Township of Fenelon shall forthwith prepare and furnish to the clerk of The Corporation of the Village of Sturgeon Point a special collector's roll showing all arrears of taxes or special rates assessed against the land in the annexed area up to and including September 30, 1996 and the persons assessed therefor.

5. (1) All real property taxes levied under any general or special Act and uncollected in the annexed area which are due and unpaid on September 30, 1996 shall be deemed on October 1, 1996 to be taxes due and payable to The Corporation of the Village of Sturgeon Point and may be collected by The Corporation of the Village of Sturgeon Point.

(2) On or before January 1, 1997, The Corporation of the Village of Sturgeon Point shall pay to The Corporation of the Township of Fenelon an amount equal to the amount of taxes and rates The Corporation of the Village of Sturgeon Point is entitled to collect in the annexed area under subsection (1).

6. All business taxes levied and uncollected in the annexed area which are due and unpaid on September 30, 1996 shall continue after that date to be taxes due and payable to The Corporation of the Township of Fenelon and may be collected by The Corporation of the Township of Fenelon.

7. (1) The assessment of land in the annexed area upon which taxes after September 30, 1996 shall be levied, shall be determined by the assessment commissioner in accordance with the classes of real property and the factors prescribed for the Village of Sturgeon Point by regulation.

(2) Where the assessment commissioner makes an assessment in accordance with subsection (1), section 35 of the *Assessment Act* applies to that assessment.

8. The agreement between The Corporation of the Village of Sturgeon Point and The Corporation of the Township of Fenelon entered into on May 24, 1994 is hereby given effect.

**Schedule**

**AREA TO BE ANNEXED TO THE VILLAGE OF STURGEON POINT**

That portion of Lot 11 in Concession 10 of the Township of Fenelon, consisting of approximately 4.5 acres, described as follows:

Part of Lot 11, Concession 10, Township of Fenelon, County of Victoria, described as follows:

Premising that part of the southerly limit of the Travelled Road known as Forest Road, as shown on Plan 57R 373, has an astronomic bearing of north 89° 51' 30" east and relating all bearings herein thereto;

Commencing at the northeasterly angle of Lot 3, north of Irene Street, according to Registered Plan Number 73, in the Village of Sturgeon Point, County of Victoria;

Thence north 72° 51' 30" east along the northerly limit of Lot 4, north of Irene Street, according to Registered Plan Number 73, 120.67 feet to the northeasterly angle of Lot 4;

Thence north 72° 10' 30" east along the northerly limit of Lot 5, north of Irene Street, according to Registered Plan Number 73, 100.29 feet;

Thence north 17° 49' 30" west, 300 feet;

Thence north 73° 54' west, 738 feet;

Thence south 36° 42' 30" west, 133.14 feet to intersection with the northeasterly limit of The Corporation of the Village of Sturgeon Point;

Thence south 56° 6' 40" east along said limit, 806.66 feet to the point of commencement.



**ONTARIO REGULATION 417/96**  
made under the  
**EMPLOYMENT STANDARDS ACT**

Made: September 11, 1996  
Filed: September 12, 1996

**RECIPROCAL ENFORCEMENT OF ORDERS**

1. (1) Each state listed in Column 1 of the Table to this Regulation is declared to be a reciprocating state for the purposes of section 73.1 of the Act.

(2) The authority listed in Column 2 of the Table is designated as the authority who may make applications under section 73.1 of the Act for the state listed opposite it in Column 1.

**TABLE**

ITEM	COLUMN 1	COLUMN 2
1.	Alberta	Director of Employment Standards for Alberta
2.	British Columbia	Director of Employment Standards for British Columbia
3.	Manitoba	Director of Employment Standards for Manitoba
4.	Northwest Territories	Labour Standards Board of the Northwest Territories
5.	Nova Scotia	Director of Labour Standards for Nova Scotia
6.	Prince Edward Island	Inspector of Labour Standards for Prince Edward Island
7.	Saskatchewan	Director of Labour Standards for Saskatchewan
8.	Yukon Territory	Director of Employment Standards for the Yukon Territory

39/96

**RÈGLEMENT DE L'ONTARIO 417/96**  
pris en application de la  
**LOI SUR LES NORMES D'EMPLOI**

pris le 11 septembre 1996  
déposé le 12 septembre 1996

**EXÉCUTION RÉCIPROQUE DES ORDONNANCES**

1. (1) Les États qui figurent dans la colonne 1 du tableau du présent règlement sont déclarés être des États accordant la réciprocité pour l'application de l'article 73.1 de la Loi.

(2) Les autorités qui figurent dans la colonne 2 du tableau sont désignées comme étant les autorités qui peuvent présenter des requêtes en vertu de l'article 73.1 de la Loi pour les États qui figurent en regard dans la colonne 1.

**TABLEAU**

NUMÉRO	COLONNE 1	COLONNE 2
1.	Alberta	directeur des normes d'emploi de l'Alberta
2.	Colombie-britannique	directeur des normes d'emploi de Colombie-britannique
3.	Manitoba	directeur des normes d'emploi de Manitoba
4.	Territoires du Nord-Ouest	Commission des normes du travail des Territoires du Nord-Ouest
5.	Nouvelle-Écosse	directeur des normes du travail de Nouvelle-Écosse
6.	Île-du-Prince-Édouard	inspecteur des normes du travail de l'Île-du-Prince-Édouard
7.	Saskatchewan	directeur des normes du travail de Saskatchewan
8.	Territoire du Yukon	directeur des normes d'emploi de Territoire du Yukon

**ONTARIO REGULATION 418/96**  
made under the  
**MARRIAGE ACT**

Made: September 11, 1996  
Filed: September 13, 1996

Amending Reg. 738 of R.R.O. 1990  
(General)

Note: Regulation 738 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Subsection 1 (3) of Regulation 738 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(3) Subject to section 16 of the Act, an applicant for a licence shall pay a fee of \$75 on the issue of the licence.

2. Section 3 of the Regulation is revoked and the following substituted:

3. (1) A fee of \$75 is payable for the solemnization of a marriage by a judge or a justice of the peace.

(2) The judge or justice of the peace who receives the fee shall remit it to the Minister of Finance.

3. Subsection 5 (1) of the Regulation is revoked and the following substituted:

(1) For each licence issued, the issuer of the licence shall remit \$48 to the Minister of Finance and retain \$27.

4. This Regulation comes into force on October 1, 1996.

39/96



# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—10—05

## ONTARIO REGULATION 419/96 made under the PLANNING ACT

Made: September 12, 1996  
Filed: September 18, 1996

Amending O. Reg. 834/81  
(Restricted Areas—Territorial District of Sudbury)

Note: Since January 1, 1996, Ontario Regulation 834/81 has been amended by Ontario Regulations 4/96, 174/96 and 322/96. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1995.

1. Section 43 of Ontario Regulation 834/81 is amended by adding the following subsection:

(3) Despite subsection (1), the use of land and the erection or use of buildings and structures set out in Schedule 6 are permitted on the land referred to in that Schedule if the requirements set out in it are met.

2. The Regulation is amended by adding the following section:

66. (1) Despite section 4, the land described in subsection (2) is, for the purposes of this Order, land in an Institutional Zone.

(2) Subsection (1) applies to that parcel of land in the geographic Township of Bigwood, in the District of Sudbury, being part of Lot 6 in Concession VI, more particularly described as Parcel 44921 Sudbury East Section, designated as Part 1 on Plan 53R-7803, deposited in the Land Registry Office for the Land Titles Division of Sudbury (No. 53).

3. The Regulation is amended by adding the following Schedule:

### Schedule 6

#### INSTITUTIONAL ZONES—EXEMPTIONS (SUBSECTION 43 (3))

1. (1) Despite section 43 of the Order, a community centre, a playing field, playground and a fire hall may be erected, located or used on the land described in subsection (3).

(2) No building or structure shall be erected or located within 30 metres of the high water mark of the stream.

(3) Subsections (1) and (2) apply to that parcel of land in the geographic Township of Bigwood, in the District of Sudbury, being part of Lot 6 in Concession VI, more particularly described as Parcel 44921 Sudbury East Section, designated as Part 1 on Plan 53R-7803, deposited in the Land Registry Office for the Land Titles Division of Sudbury (No. 53).

KAREN SMITH  
Manager

Provincial Planning Services Branch  
Ministry of Municipal Affairs and Housing

Dated at Toronto on September 12, 1996.

## ONTARIO REGULATION 420/96 made under the FARM PRODUCTS MARKETING ACT

Made: September 11, 1996  
Filed: September 19, 1996

Amending Reg. 387 of R.R.O. 1990  
(Apples—Marketing)

Note: Regulation 387 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Subsection 12 (1) of Regulation 387 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(1) Every producer in respect of apple trees located in a district shown in Column 1 of the Table shall pay licence fees at the rate shown opposite in Column 2 per year per acre of those apple trees.

TABLE

District	Rate
1, 2, 3 or 4	\$44.52
5	41.28
6	38.58
7, 8 or 9	44.61

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

JAMES H. WHEELER  
Chair

GLORIA MARCO BORYS  
Secretary

Dated at Toronto on September 11, 1996.

**ONTARIO REGULATION 421/96**  
made under the  
**FARM PRODUCTS MARKETING ACT**

Made: August 14, 1996  
Approved: September 11, 1996  
Filed: September 19, 1996

Amending Reg. 439 of R.R.O. 1990  
(Turkeys—Plan)

Note: Regulation 439 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 10 of the Schedule to Regulation 439 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**10. (1)** On or before October 1, 1996, the producers in District 5 shall elect from among their Committee representatives, one representative to the local board to hold office for two years from October 1, 1996.

**(2)** On or before October 1, 1996 and every second year thereafter, the producers in,

**(a)** Districts 6 and 7 shall elect from among,

**(i)** themselves, their representatives to the Committee, and

**(ii)** their Committee representatives, their representatives to the local board; and

**(b)** District 5 shall elect from among themselves, their representatives to the Committee,

to hold office for two years from October 1.

**(3)** On or before October 1, 1997, the producers in District 5 shall elect from among their Committee representatives, one representative to the local board to hold office for one year from October 1, 1997.

**(4)** On or before October 1, 1997, and every second year thereafter, the producers in Districts 1, 2, 3 and 4 shall elect from among themselves, their representatives to the Committee and from among their Committee representatives, their representatives to the local board, to hold office for two years from October 1.

**(5)** On or before October 1, 1998 and every second year thereafter, the producers in District 5 shall elect from among their Committee representatives, two representatives to the local board to hold office for two years from October 1.

**(6)** No person is eligible for election from any district to the local board unless the person's mailing address is within the district.

**(7)** In this section,

"Committee" means the District Turkey Producers' Committee.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

JAMES H. WHEELER  
*Chair*

BILL MOORE  
*(Acting) Secretary*

Dated at Toronto on August 14, 1996.

40/96

**ONTARIO REGULATION 422/96**  
made under the  
**MUNICIPAL ACT**

Made: September 20, 1996  
Filed: September 20, 1996

Amending O. Reg. 216/96  
(Restructuring Proposals)

Note: Ontario Regulation 216/96 has been amended by Ontario Regulation 378/96.

**1. (1)** The definition of "double majority" in subsection 1 (1) of Ontario Regulation 216/96 is revoked and the following substituted:

"double majority" has the meaning given to that phrase under subsections (2), (3) and (5); ("double majorité")

**(2)** Subsection 1 (4) of the Regulation is revoked.

**(3)** Subsection 1 (5) of the Regulation is amended by striking out "subsections (2), (3) and (4)" in the first line and substituting "subsections (2) and (3)".

**2. (1)** Subsection 3 (1) of the Regulation is amended by adding the following paragraphs:

**RÈGLEMENT DE L'ONTARIO 422/96**  
pris en application de la  
**LOI SUR LES MUNICIPALITÉS**

pris le 20 septembre 1996  
déposé le 20 septembre 1996

modifiant le Règl. de l'Ont. 216/96  
(Propositions de restructuration)

Remarque : Le Règlement de l'Ontario 216/96 a été modifié par le Règlement de l'Ontario 378/96.

**1. (1)** La définition de «double majorité» au paragraphe 1 (1) du Règlement de l'Ontario 216/96 est abrogée et remplacée par ce qui suit :

«double majorité» S'entend au sens des paragraphes (2), (3) et (5). («double majorité»)

**(2)** Le paragraphe 1 (4) du Règlement est abrogé.

**(3)** Le paragraphe 1 (5) du Règlement est modifié par substitution de «paragraphes (2) et (3)» à «paragraphes (2), (3) et (4)» à la première ligne.

**2. (1)** Le paragraphe 3 (1) du Règlement est modifié par adjonction des dispositions suivantes :



6. Dissolving all or part of a local municipality.

7. Incorporating a local municipality.

(2) Subsection 3 (2) of the Regulation is amended by adding the following clauses:

(d) a restructuring that results in territory becoming unorganized territory;

(e) a restructuring that results in an increase in the number of local municipalities;

(f) a restructuring referred to in paragraph 7 of subsection 3 (1) that results in unorganized territory becoming part of the local municipality that is incorporated.

3. Sections 4 to 9 of the Regulation are revoked and the following substituted:

4. The following support is necessary for a restructuring proposal:

1. The support of a double majority of the group consisting of,

i. every local municipality that, as a result of the restructuring proposal, would have any part of its boundaries changed, would be dissolved or would be amalgamated with another local municipality,

ii. every local municipality that, as a result of the restructuring proposal, would be separated from a county or would become part of a county, and

iii. every local body for unorganized territory that would, as a result of the restructuring proposal, become part of a local municipality.

2. The support of a county if, as a result of the restructuring proposal,

i. a local municipality that is part of the county would have any part of its boundaries changed, would be dissolved or would be amalgamated with another local municipality, or

ii. the county would have any part of its boundaries changed, would be dissolved or would be amalgamated with another county.

3. The support of a separated municipality that, as a result of the restructuring proposal, would have any part of its boundaries changed, would be dissolved, would be amalgamated with another local municipality or would become part of a county.

4. Subsection 10 (2) of the Regulation is revoked.

AL LEACH  
Minister of Municipal Affairs and Housing

6. La dissolution de la totalité ou d'une partie d'une municipalité locale.

7. La constitution d'une municipalité locale.

(2) Le paragraphe 3 (2) du Règlement est modifié par adjonction des alinéas suivants :

d) la restructuration à la suite de laquelle un territoire devient un territoire non érigé en municipalité;

e) la restructuration à la suite de laquelle le nombre de municipalités locales augmente;

f) la restructuration visée à la disposition 7 du paragraphe 3 (1) à la suite de laquelle un territoire non érigé en municipalité fait désormais partie de la municipalité locale qui est constituée.

3. Les articles 4 à 9 du Règlement sont abrogés et remplacés par ce qui suit :

4. L'appui suivant est nécessaire pour une proposition de restructuration :

1. L'appui de la double majorité du groupe formé de ce qui suit :

i. chaque municipalité locale qui, par suite de la proposition de restructuration, doit voir une partie de ses limites territoriales modifiée, doit être dissoute ou doit être fusionnée avec une autre municipalité locale,

ii. chaque municipalité locale qui, par suite de la proposition de restructuration, doit être séparée d'un comté ou doit en faire désormais partie,

iii. chaque organisme local d'un territoire non érigé en municipalité qui, par suite de la proposition de restructuration, doit faire désormais partie d'une municipalité locale.

2. L'appui d'un comté si, par suite de la proposition de restructuration :

i. soit une municipalité locale qui fait partie du comté doit voir une partie de ses limites territoriales modifiée, doit être dissoute ou doit être fusionnée avec une autre municipalité locale,

ii. soit le comté doit voir une partie de ses limites territoriales modifiée, doit être dissous ou doit être fusionné avec un autre comté.

3. L'appui d'une municipalité séparée qui, par suite de la proposition de restructuration, doit voir une partie de ses limites territoriales modifiée, doit être dissoute, doit être fusionnée avec une autre municipalité locale ou doit faire désormais partie d'un comté.

4. Le paragraphe 10 (2) du Règlement est abrogé.

AL LEACH  
Ministre des Affaires municipales et du Logement

Dated at Toronto on September 20, 1996.

Fait à Toronto le 20 septembre 1996.





**Publications under the Regulations Act  
Publications en vertu de la Loi sur les règlements**

1996—10—12

**ONTARIO REGULATION 423/96  
made under the  
HIGHWAY TRAFFIC ACT**

Made: September 11, 1996  
Filed: September 23, 1996

Amending Reg. 616 of R.R.O. 1990  
(Slow Moving Vehicle Sign)

Note: Regulation 616 has not previously been amended.

1. Subsection 1 (1) of Regulation 616 of the Revised Regulations of Ontario, 1990 is amended by striking out "farm tractor or self-propelled implement of husbandry" in the first and second lines and substituting "slow moving vehicle as defined in subsection 76 (2) of the Act".

2. Section 2 of the Regulation is revoked and the following substituted:

2. (1) The sign referred to in section 1 shall be mounted,
- (a) base down in a plane perpendicular to the direction of travel of the vehicle;
  - (b) where practicable, on the rear of the vehicle or combination of vehicles at the centre of mass; and
  - (c) not less than one-half metre or more than 2 metres above the roadway.

(2) The sign shall be clearly visible for a distance of not less than 150 metres from the rear of the vehicle or combination of vehicles.

3. The Regulation is amended by adding the following section:

6. (1) Subsection 76 (1) of the Act and sections 1 to 5 of this Regulation do not apply to a horse-drawn vehicle when driven by a person whose religious convictions or beliefs prohibit the display of the slow moving vehicle sign.

(2) A person described in subsection (1) shall not drive a horse-drawn vehicle on a highway unless a marker is displayed on the vehicle in accordance with this section.

(3) The marker shall be visible from a distance of at least 150 metres when illuminated by a lighted lamp on a vehicle that is approaching or overtaking the horse-drawn vehicle during,

- (a) the period beginning one-half hour before sunset and ending one-half hour after sunrise; and
- (b) any other period during which, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 150 metres or less.

(4) The marker shall consist of five strips of grey, silver or white reflective material, each at least 2.5 centimetres wide.

(5) Four of the strips shall be affixed to the outside perimeter of the rear of the vehicle in accordance with the following rules:

- 1. One strip shall be affixed to the top of the rear of the vehicle, be placed horizontally and be at least 56 centimetres long.
- 2. One strip shall be affixed to each of the two sides of the rear of the vehicle, be placed vertically and be at least 42 centimetres long.
- 3. One strip shall be affixed to the bottom of the rear of the vehicle, be placed horizontally and be at least 28 centimetres long.

(6) The fifth strip shall be affixed as high as possible on the left side of the front of the vehicle, be placed vertically and be at least 14 centimetres long.

(7) The marker shall be free from dirt and obstruction and shall be affixed so as to be plainly visible at all times and the view of the marker shall not be obscured or obstructed by any part of the vehicle, by any attachment to the vehicle or by the load carried.

4. This Regulation comes into force on the day subsection 76 (7) of the Act is proclaimed in force.

41/96

**ONTARIO REGULATION 424/96  
made under the  
HIGHWAY TRAFFIC ACT**

Made: September 23, 1996  
Filed: September 26, 1996

Amending Reg. 619 of R.R.O. 1990  
(Speed Limits)

Note: Since January 1, 1996, Regulation 619 has been amended by Ontario Regulations 29/96, 30/96, 148/96, 325/96, 328/96 and 396/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Paragraph 1 of Part 6 of Schedule 157 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

District of  
Algoma—  
  
Town of  
Aweres

- 1. That part of the King's Highway known as No. 556 in the Township of Aweres in the Territorial District of Algoma beginning at a point situate at its intersection with the centre line of King's Highway known as No. 17 and extending easterly for a distance of 1400 metres.

2. (1) Part 3 of Schedule 207 to the Regulation is amended by adding the following paragraph:

District of Thunder Bay—	2. That part of the King's Highway known as No. 584 in the Town of Geraldton in the townships of Errington, Fulford and McQuesten in the territorial District of Thunder Bay lying between a point situate 4686 metres measured southerly from its intersection with the roadway known as Greta Lake Road and a point situate 5875 metres measured northerly from its intersection with Greta Lake Road.	(Reserved)
Town of Geraldton		PART 4
Twps. of Fulford, Errington and McQuesten		(Reserved)
		PART 5
		(Reserved)
		PART 6

(2) Paragraph 1 of Part 5 of Schedule 207 to the Regulation is revoked and the following substituted:

District of Thunder Bay—	1. That part of the King's Highway known as No. 584 in the Town of Geraldton in the townships of Errington and Ashmore in the Territorial District of Thunder Bay lying between a point situate 800 metres measured southerly from its intersection with the roadway known as Compressor Station Road and a point situate 114 metres measured northerly from its intersection with Compressor Station Road.
Town of Geraldton	
Twps. of Errington and Ashmore	

(3) Paragraph 2 of Part 5 of Schedule 207 to the Regulation is revoked and the following substituted:

District of Thunder Bay—	2. That part of the King's Highway known as No. 584 in the Town of Geraldton in the townships of Errington and Ashmore in the Territorial District of Thunder Bay lying between a point situate 150 metres measured southerly from its intersection with the roadway known as Arena Road and a point situate 600 metres measured northerly from its intersection with Arena Road.
Town of Geraldton	
Twps. of Errington and Ashmore	

(4) Paragraph 1 of Part 6 of Schedule 207 to the Regulation is revoked and the following substituted:

District of Thunder Bay—	1. That part of the King's Highway known as No. 584 in the Township of Nakina in the Territorial District of Thunder Bay lying between a point situate 358 metres measured westerly from its intersection with the roadway known as Northwood Park Road and a point situate 432 metres measured easterly from its intersection with Northwood Park Road.
Twp. of Nakina	

3. The Regulation is amended by adding the following Schedule:

#### Schedule 262

#### HIGHWAY NO. 595

##### PART 1

(Reserved)

##### PART 2

(Reserved)

##### PART 3

District of  
Algoma—

Twp. of  
Hodgins

1. That part of the King's Highway known as No. 532 in the Township of Hodgins in the Territorial District of Algoma lying between a point situate 250 metres measured southerly from its intersection with the southerly limit of the Algoma Central Railway and a point situate 290 metres measured northerly from the northerly limit of the structure known as Achigan Creek Bridge.

AL PALLADINI  
Minister of Transportation

Dated at Toronto on September 23, 1996.



**ONTARIO REGULATION 425/96**made under the  
**GAME AND FISH ACT**

Made: September 25, 1996

Filed: September 26, 1996

Amending Reg. 480 of R.R.O. 1990  
(Bullfrogs)

Note: Regulation 480 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 3 of Regulation 480 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(2) Despite subsection (1), bullfrogs may not be taken in the Regional Municipality of Ottawa-Carleton, the Counties of Prescott and Russell, Stormont Dundas and Glengarry, Leeds and Grenville, Lanark, Frontenac, Lennox and Addington, Prince Edward, Northumberland, Peterborough and Victoria, or in the townships in the County of Hastings south of, and including, the townships of Marmora and Lake, Tudor and Cashel, and Elzevir and Grimsthorpe.

2. Subsection 4 (2) of the Regulation is revoked.

41/96

**ONTARIO REGULATION 426/96**made under the  
**PLANNING ACT**

Made: September 26, 1996

Filed: September 27, 1996

Amending O. Reg. 136/95  
(Delegation of Authority of Minister to Give Consents)

Note: Since January 1, 1996, Ontario Regulation 136/95 has been amended by Ontario Regulation 11/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 2 of Ontario Regulation 136/95 is amended by adding the following subsection:

(3) Except as provided in Schedule 4, Ontario Regulation 197/96 (Consent applications) does not apply with respect to applications for consents the authority for which is delegated under this Regulation.

2. Schedule 4 to the Regulation is revoked and the following substituted:

**Schedule 4****RULES OF PROCEDURE****DELEGATED AUTHORITY OF MINISTER  
TO GIVE CONSENTS**

1. In this Schedule,

**RÈGLEMENT DE L'ONTARIO 425/96**pris en application de la  
**LOI SUR LA CHASSE ET LA PÊCHE**

pris le 25 septembre 1996

déposé le 26 septembre 1996

modifiant le Règl. des R.R.O. de 1990  
(Ouaouarons)

Remarque : Le Règlement 480 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. L'article 3 du Règlement 480 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction du paragraphe suivant :

(2) Malgré le paragraphe (1), les ouaouarons ne peuvent être pris dans la municipalité régionale d'Ottawa-Carleton, dans les comtés de Prescott et Russell, de Stormont, Dundas et Glengarry, de Leeds et Grenville, de Lanark, de Frontenac, de Lennox et Addington, de Prince Edward, de Northumberland, de Peterborough et de Victoria, ou dans les cantons du comté de Hastings au sud des cantons de Marmora and Lake, de Tudor and Cashel, et de Elzevir and Grimsthorpe, y compris ceux-ci.

2. Le paragraphe 4 (2) du Règlement est abrogé.

"approval authority" means the municipal council, planning board or district land division committee that has been delegated to it the authority to grant a consent in section 1 or 2 of this Regulation in respect of the land that is the subject of an application for a consent, and includes a delegate of the municipal council;

"official" means,

- (a) the clerk of the municipality, if the approval authority is the council of the municipality, a committee of council or an appointed officer,
- (b) the secretary-treasurer of the committee of adjustment, if the approval authority is the committee of adjustment,
- (c) the secretary-treasurer of the district land division committee, if the approval authority is the district land division committee, and
- (d) the secretary-treasurer of the planning board, if the approval authority is the planning board.

2. The following provisions of Ontario Regulation 197/96 apply with respect to applications for consents the authority for which is delegated under this Regulation:

- 1. Section 2 (Information and material to be provided by applicant).
- 2. Subsections 3 (8), (9), (10) and (11) (Notice of application).
- 3. Section 5 (Record for Municipal Board under clause 53 (15) (a) of the Act).

4. Section 6 (Notice of decision under subsection 53 (17) of the Act.
5. Section 7 (Notice of changes to conditions of provisional consent under subsection 53 (24) of the Act).
6. Section 8 (Record for Municipal Board under subsection 53 (28) of the Act).
7. Section 9 (Certificate under subsection 53 (42) of the Act.
8. Section 11 (Notice of application).
3. The official may give notice of an application for a consent to any person or public body that the approval authority determines should receive notice and provide the person or public body with a copy of the application.
4. The official shall note the date of receipt on each application and number applications consecutively, commencing at "1" at the beginning of each calendar year, followed by an oblique stroke and the last two digits of the year.
5. The official or, if the office of the official is vacant or if the official is unable to carry out his or her duties through illness or otherwise, another person authorized by the approval authority shall attend all meetings and shall,
  - (a) keep all applications submitted and all correspondence addressed to the approval authority;
  - (b) keep minutes of every meeting of the approval authority, including full particulars of all written comments made in respect to each application; and
  - (c) keep all other records of the approval authority.
6. For every six-month period beginning on January 1 and July 1, the official shall complete a report on a form supplied by the Ministry of Municipal Affairs and Housing.
7. On or before January 22 and July 22, the official shall submit the report mentioned in section 6 for the immediately preceding six months to the Minister of Municipal Affairs and Housing.

AL LEACH  
Minister of Municipal Affairs and Housing

Dated at Toronto on September 26, 1996.

ONTARIO REGULATION 427/96  
made under the  
PLANNING ACT

Made: September 26, 1996  
Filed: September 27, 1996

Amending O. Reg. 148/95  
(Delegation of Authority of Minister to Approve By-laws Affecting Highways Shown on Plans of Subdivision)

Note: Ontario Regulation 148/95 has not previously been amended.

1. Subsection 1 (3) of Ontario Regulation 148/95 is revoked and the following substituted:

(3) The delegation does not apply to a by-law relating to land in a municipality passed before the date set out in the Schedule beside the name of the municipality.

2. The Schedule to the Regulation is revoked and the following substituted:

Schedule	
Municipality	Date (Delegation does not apply to by-laws passed before this date)
The City of Barrie	September 30, 1996
The City of Belleville	September 30, 1996
The City of Brantford	September 30, 1996
The City of Brockville	September 30, 1996
The City of Chatham	September 30, 1996
The City of Cornwall	September 30, 1996
The City of Elliot Lake	September 30, 1996
The City of Guelph	September 30, 1996
The City of Kingston	September 30, 1996
The City of London	September 30, 1996
The City of North Bay	September 30, 1996
The City of Orillia	September 30, 1996
The City of Owen Sound	September 30, 1996
The City of Pembroke	September 30, 1996
The City of Peterborough	September 30, 1996
The City of St. Thomas	September 30, 1996
The City of Sault Ste. Marie	September 30, 1996
The City of Stratford	September 30, 1996
The City of Thunder Bay	September 30, 1996
The City of Timmins	September 30, 1996
The City of Trenton	September 30, 1996
The City of Windsor	September 30, 1996
The County of Bruce	September 30, 1996
The County of Grey	September 30, 1996
The County of Hastings	September 30, 1996
The County of Huron	March 28, 1995
The County of Lambton	September 30, 1996
The County of Oxford	March 28, 1995
The County of Peterborough	September 30, 1996
The County of Prince Edward	March 28, 1995
The County of Victoria	March 28, 1995
The County of Wellington	September 30, 1996
The District Municipality of Muskoka	March 28, 1995
The Municipality of Metropolitan Toronto	March 28, 1995
The Regional Municipality of Durham	March 28, 1995



The Regional Municipality of Haldimand-Norfolk	March 28, 1995
The Regional Municipality of Halton	March 28, 1995
The Regional Municipality of Hamilton-Wentworth	March 28, 1995
The Regional Municipality of Niagara	March 28, 1995
The Regional Municipality of Ottawa-Carleton	March 28, 1995
The Regional Municipality of Peel	March 28, 1995
The Regional Municipality of Sudbury	March 28, 1995
The Regional Municipality of Waterloo	March 28, 1995
The Regional Municipality of York	March 28, 1995

privately owned and operated individual or communal septic system, a privy or other means.

AL LEACH  
Minister of Municipal Affairs and Housing

Dated at Toronto on September 26, 1996.

41/96

**3. This Regulation comes into force on September 30, 1996.**

AL LEACH  
Minister of Municipal Affairs and Housing

Dated at Toronto on September 26, 1996.

41/96

**ONTARIO REGULATION 428/96**  
made under the  
**PLANNING ACT**

Made: September 26, 1996  
Filed: September 27, 1996

Amending O. Reg. 199/96  
(Zoning By-laws, Holding By-laws and Interim Control By-laws)

Note: Ontario Regulation 199/96 has not previously been amended.

**1. Paragraph 2 of subsection 5 (1) of Ontario Regulation 199/96 is amended by striking out "within 120 metres of the area" in the second line and in the fourth line and substituting, in both places, "in the area".**

**(2) Item 1 of the Schedule to the Regulation is revoked and the following substituted:**

1. The name, address and telephone number of the applicant.

**(2) Item 2 of the Schedule to the Regulation is revoked and the following substituted:**

2. If known, the names and addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land.

**(3) Item 17 of the Schedule to the Regulation is amended by adding "If known", at the beginning.**

**(4) Item 18 of the Schedule to the Regulation is amended by adding "If known", at the beginning.**

**(5) Item 19 of the Schedule to the Regulation is amended by adding "If known", at the beginning.**

**(6) Item 21 of the Schedule to the Regulation is revoked and the following substituted:**

21. Whether sewage disposal is provided to the subject land by a publicly owned and operated sanitary sewage system, a

**ONTARIO REGULATION 429/96**  
made under the  
**PLANNING ACT**

Made: September 26, 1996  
Filed: September 27, 1996

Amending O. Reg. 149/95  
(Delegation of Authority of Minister to Approve an Order Amending a Plan of Subdivision)

Note: Ontario Regulation 149/95 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Subsections 1 (3), (4) and (5) of Ontario Regulation 149/95 are revoked and the following substituted:**

(3) The delegation does not apply to an application made in respect of land in the municipality before the date set out in the Schedule beside the name of the municipality.

**2. The Schedule to the Regulation is revoked and the following substituted:**

**Schedule**

Municipality	Date (Delegation does not apply to applications made before this date)
The City of Barrie	March 28, 1995
The City of Belleville	March 28, 1995
The City of Brantford	March 28, 1995
The City of Brockville	March 28, 1995
The City of Chatham	June 1, 1995
The City of Cornwall	March 28, 1995
The City of Elliot Lake	March 28, 1995
The City of Guelph	March 28, 1995
The City of Kingston	March 28, 1995
The City of London	March 28, 1995
The City of North Bay	March 28, 1995
The City of Orillia	March 28, 1995
The City of Owen Sound	March 28, 1995
The City of Pembroke	March 28, 1995
The City of Peterborough	March 28, 1995
The City of St. Thomas	March 28, 1995
The City of Sault Ste. Marie	March 28, 1995
The City of Stratford	March 28, 1995
The City of Thunder Bay	March 28, 1995
The City of Timmins	March 28, 1995
The City of Trenton	March 28, 1995
The City of Windsor	March 28, 1995
The County of Bruce	September 30, 1996



The County of Grey	September 30, 1996
The County of Hastings	September 30, 1996
The County of Huron	March 28, 1995
The County of Lambton	September 30, 1996
The County of Oxford	March 28, 1995
The County of Peterborough	September 30, 1996
The County of Prince Edward	March 28, 1995
The County of Victoria	March 28, 1995
The County of Wellington	September 30, 1996
The District Municipality of Muskoka	March 28, 1995
The Municipality of Metropolitan Toronto	March 28, 1995
The Regional Municipality of Durham	March 28, 1995
The Regional Municipality of Haldimand-Norfolk	March 28, 1995
The Regional Municipality of Halton	March 28, 1995
The Regional Municipality of Hamilton-Wentworth	March 28, 1995
The Regional Municipality of Niagara	March 28, 1995
The Regional Municipality of Ottawa-Carleton	March 28, 1995
The Regional Municipality of Peel	March 28, 1995
The Regional Municipality of Sudbury	March 28, 1995
The Regional Municipality of Waterloo	March 28, 1995
The Regional Municipality of York	March 28, 1995

3. This Regulation comes into force on September 30, 1996.

AL LEACH  
*Minister of Municipal Affairs and Housing*

Dated at Toronto on September 26, 1996.

41/96

### ONTARIO REGULATION 430/96 made under the PLANNING ACT

Made: September 26, 1996

Filed: September 27, 1996

Amending O. Reg. 143/95

(Delegation of Authority of Minister to Approve Highways  
Less Than 20 Metres in Width)

Note: Ontario Regulation 143/95 has not previously been amended.

1. Subsection 1 (3) of Ontario Regulation 143/95 is revoked and the following substituted:

(3) The delegation does not apply to an application made in respect of land in a municipality before the date set out in the Schedule beside the name of the municipality.

2. The Schedule to the Regulation is revoked and the following substituted:

#### Schedule

Municipality	Date (Delegation does not apply to applications made before this date)
The City of Barrie	September 30, 1996

The City of Belleville	September 30, 1996
The City of Brantford	September 30, 1996
The City of Brockville	September 30, 1996
The City of Chatham	September 30, 1996
The City of Cornwall	September 30, 1996
The City of Elliot Lake	September 30, 1996
The City of Guelph	September 30, 1996
The City of Kingston	September 30, 1996
The City of London	September 30, 1996
The City of North Bay	September 30, 1996
The City of Orillia	September 30, 1996
The City of Owen Sound	September 30, 1996
The City of Pembroke	September 30, 1996
The City of Peterborough	September 30, 1996
The City of St. Thomas	September 30, 1996
The City of Sault Ste. Marie	September 30, 1996
The City of Stratford	September 30, 1996
The City of Thunder Bay	September 30, 1996
The City of Timmins	September 30, 1996
The City of Trenton	September 30, 1996
The City of Windsor	September 30, 1996
The County of Bruce	September 30, 1996
The County of Grey	September 30, 1996
The County of Hastings	September 30, 1996
The County of Huron	March 28, 1995
The County of Lambton	September 30, 1996
The County of Oxford	September 30, 1996
The County of Peterborough	September 30, 1996
The County of Prince Edward	September 30, 1996
The County of Victoria	September 30, 1996
The County of Wellington	September 30, 1996
The District Municipality of Muskoka	September 30, 1996
The Municipality of Metropolitan Toronto	September 30, 1996
The Regional Municipality of Durham	September 30, 1996
The Regional Municipality of Haldimand-Norfolk	September 30, 1996
The Regional Municipality of Halton	March 28, 1995
The Regional Municipality of Hamilton-Wentworth	September 30, 1996
The Regional Municipality of Niagara	September 30, 1996
The Regional Municipality of Ottawa-Carleton	September 30, 1996
The Regional Municipality of Peel	March 28, 1995
The Regional Municipality of Sudbury	September 30, 1996
The Regional Municipality of Waterloo	March 28, 1995
The Regional Municipality of York	September 30, 1996

3. This Regulation comes into force on September 30, 1996.

AL LEACH  
*Minister of Municipal Affairs and Housing*

Dated at Toronto on September 26, 1996.

41/96

**ONTARIO REGULATION 431/96**  
made under the  
**PLANNING ACT**

Made: September 26, 1996  
Filed: September 27, 1996

Amending O. Reg. 152/95  
(Delegation of Authority of Minister to Approve  
Plans of Subdivision)

Note: Ontario Regulation 152/95 has not previously been amended.

1. (1) Paragraph 1 of subsection 1 (2) of Ontario Regulation 152/95 is revoked.

(2) Subsection 1 (3) of the Regulation is revoked and the following substituted:

(3) The delegation does not apply to an application made before March 28, 1995.

2. Items 1, 2 and 3 of Schedule 1 to the Regulation are revoked.

3. Schedule 2 to the Regulation is revoked.

4. Ontario Regulation 152/95, as it reads immediately before this Regulation comes into force, continues to apply with respect to applications made before May 22, 1996.

AL LEACH  
*Minister of Municipal Affairs and Housing*

Dated at Toronto on September 26, 1996.

41/96

**ONTARIO REGULATION 432/96**  
made under the  
**PLANNING ACT**

Made: September 26, 1996  
Filed: September 27, 1996

Amending O. Reg. 200/96  
(Minor Variance Applications)

Note: Ontario Regulation 200/96 has not previously been amended.

1. (1) Subsection 3 (6) of Ontario Regulation 200/96 is amended by striking out "is a for a minor variance or permission" in the third and fourth lines and substituting "is for a minor variance".

(2) Subsection 3 (7) of the Regulation is amended by inserting "or (2)" after "45 (1)" in the third line.

2. The Schedule to the Regulation is amended by striking out Item 20 and substituting the following:

20. Whether sewage disposal is provided to the subject land by a publicly owned and operated sanitary sewage system, a privately owned and operated individual or communal septic system, a privy or other means.

AL LEACH  
*Minister of Municipal Affairs and Housing*

Dated at Toronto on September 26, 1996.

41/96

**ONTARIO REGULATION 433/96**  
made under the  
**PLANNING ACT**

Made: September 26, 1996  
Filed: September 27, 1996

Revoking O. Reg. 153/95  
(Delegation of Authority of Minister to Approve By-law Designating  
Lands Not Subject to Part-Lot Control)

1. Ontario Regulation 153/95 is revoked.

AL LEACH  
*Minister of Municipal Affairs and Housing*

Dated at Toronto on September 26, 1996.

41/96

**ONTARIO REGULATION 434/96**  
made under the  
**PLANNING ACT**

Made: September 26, 1996  
Filed: September 27, 1996

Amending O. Reg. 145/95  
(Delegation of Authority of Minister to Approve  
Condominium Descriptions)

Note: Ontario Regulation 145/95 has not previously been amended.

1. (1) Paragraph 1 of subsection 1 (2) of Ontario Regulation 145/95 is revoked.

(2) Subsection 1 (3) of the Regulation is revoked and the following substituted:

(3) The delegation does not apply to an application made before March 28, 1995.

2. Items 1, 2 and 3 of Schedule 1 to the Regulation are revoked.

3. Schedule 2 to the Regulation is revoked.

4. Ontario Regulation 145/95, as it reads immediately before this Regulation comes into force, continues to apply with respect to applications made before May 22, 1996.

AL LEACH  
*Minister of Municipal Affairs and Housing*

Dated at Toronto on September 26, 1996.

41/96



**ONTARIO REGULATION 435/96**made under the  
**PLANNING ACT**

Made: September 26, 1996

Filed: September 27, 1996

Amending O. Reg. 144/95  
(Criteria—Validation of Title)

Note: Ontario Regulation 144/95 has not previously been amended.

1. Subsection 1 (1) of Ontario Regulation 144/95 is amended by striking out "subsection 51 (4)" in the last line and substituting "subsection 51 (24)".

AL LEACH

*Minister of Municipal Affairs and Housing*

Dated at Toronto on September 26, 1996.

41/96

**ONTARIO REGULATION 436/96**made under the  
**CEMETERIES ACT (REVISED)**

Made: September 25, 1996

Filed: September 27, 1996

Amending O. Reg. 132/92  
(Trust Funds)

Note: Ontario Regulation 132/92 has not previously been amended.

1. Ontario Regulation 132/92 is amended by adding the following section:

7.1 (1) The trustee of the Care and Maintenance Fund is exempt from subsection 35 (5) of the Act with respect to payments that are made to a cemetery owner to allow the owner to purchase land adjoining the cemetery for the purpose of increasing its area.

(2) The exemption under subsection (1) applies only if the cemetery for which the Fund is established is not a commercial cemetery and, in the opinion of the Registrar,

(a) the cemetery owner does not otherwise have the funds needed to purchase the adjoining land;

(b) adequate care and maintenance of the cemetery will continue to be provided; and

(c) the exemption will promote the economic viability of the cemetery and strengthen the Fund.

(3) A cemetery owner who receives funds under the exemption shall only use them to purchase adjoining land for the purpose of increasing the cemetery's area.

(4) A cemetery owner who receives funds under the exemption and who uses them for the required purpose shall reimburse the Fund, as specified by the Registrar, in the amount paid out by the trustee from the amounts the owner is entitled to from the sale or transfer of interment rights within the land purchased, after making the deposits required under section 3.

(5) If the trustee pays out money under the exemption and it subsequently becomes apparent that the money has not been used to purchase land adjoining the cemetery or that the money has been used to purchase such land but not for the purpose of increasing the cemetery's area, the cemetery owner shall reimburse the Fund in the amount paid out by the trustee within the time specified by the Registrar.

41/96

**ONTARIO REGULATION 437/96**  
made under the  
**PERSONAL PROPERTY SECURITY ACT**

Made: September 25, 1996

Filed: September 27, 1996

Amending O. Reg. 547/94  
(Fees)

Note: Ontario Regulation 547/94 has not previously been amended.

1. Section 1 of Ontario Regulation 547/94 is amended by adding the following items:

**RÈGLEMENT DE L'ONTARIO 437/96**  
pris en application de la  
**LOI SUR LES SÛRETÉS MOBILIÈRES**pris le 25 septembre 1996  
déposé le 27 septembre 1996modifiant le Règl. de l'Ont. 547/94  
(Droits)

Remarque : Le Règlement de l'Ontario 547/94 n'a pas été modifié antérieurement.

1. L'article 1 du Règlement de l'Ontario 547/94 est modifié par adjonction des dispositions suivantes :



- 6.1 For a search if the person requesting it is not doing so pursuant to an agreement for remote online access made with the Ministry of Consumer and Commercial Relations ..... \$2.00  
in addition to the fee payable under item 6

- 7.1 For a registrar's certificate if the person requesting it is not doing so pursuant to an agreement for remote online access made with the Ministry of Consumer and Commercial Relations ..... 2.00  
in addition to the fee payable under item 7

2. This Regulation comes into force on October 1, 1996.

41/96

**ONTARIO REGULATION 438/96**  
made under the  
**REPAIR AND STORAGE LIENS ACT**

Made: September 25, 1996  
Filed: September 27, 1996

Amending O. Reg. 548/94  
(Fees)

Note: Ontario Regulation 548/94 has not previously been amended.

1. Section 1 of Ontario Regulation 548/94 is amended by adding the following items:

- 4.1 For a search ..... \$7.00
- 4.2 For a search if the person requesting it is not doing so pursuant to an agreement for remote online access made with the Ministry of Consumer and Commercial Relations ..... 2.00  
in addition to the fee payable under item 4.1
- 4.3 For a registrar's certificate ..... 7.00

- 6.1 Pour une recherche, si la personne qui la demande ne le fait pas en application d'une convention permettant l'accès en direct conclue avec le ministère de la Consommation et du Commerce ..... 2,00 \$  
en plus des droits exigibles en vertu de la disposition 6

- 7.1 Pour un certificat du registrateur, si la personne qui le demande ne le fait pas en application d'une convention permettant l'accès en direct conclue avec le ministère de la Consommation et du Commerce ..... 2,00  
en plus des droits exigibles en vertu de la disposition 7

2. Le présent règlement entre en vigueur le 1<sup>er</sup> octobre 1996.

**RÈGLEMENT DE L'ONTARIO 438/96**  
pris en application de la  
**LOI SUR LE PRIVILÈGE DES RÉPARATEURS**  
**ET DES ENTREPOSEURS**

pris le 25 septembre 1996  
déposé le 27 septembre 1996

modifiant le Règl. de l'Ont. 548/94  
(Droits)

Remarque : Le Règlement de l'Ontario 548/94 n'a pas été modifié antérieurement.

1. L'article 1 du Règlement de l'Ontario 548/94 est modifié par adjonction des dispositions suivantes :

- 4.1 Pour une recherche ..... 7,00 \$
- 4.2 Pour une recherche, si la personne qui la demande ne le fait pas en application d'une convention permettant l'accès en direct conclue avec le ministère de la Consommation et du Commerce ..... 2,00  
en plus des droits exigibles en vertu de la disposition 4.1
- 4.3 Pour un certificat du registrateur ..... 7,00

- 4.4 For a registrar's certificate if the person requesting it is not doing so pursuant to an agreement for remote online access made with the Ministry of Consumer and Commercial Relations ..... 2.00  
in addition  
to the fee  
payable  
under item  
4.3

- 4.4 Pour un certificat du registrateur, si la personne qui le demande ne le fait pas en application d'une convention permettant l'accès en direct conclue avec le ministère de la Consommation et du Commerce ..... 2,00  
en plus des  
droits exigi-  
bles en vertu  
de la disposi-  
tion 4.3

2. This Regulation comes into force on October 1, 1996.

2. Le présent règlement entre en vigueur le 1<sup>er</sup> octobre 1996.

41/96

**ONTARIO REGULATION 439/96**  
made under the  
**ELEVATING DEVICES ACT**

Made: September 25, 1996

Filed: September 27, 1996

Amending Reg. 316 of R.R.O. 1990  
(General)

Note: Regulation 316 has not been amended in 1996. For prior amendments see the Table of Regulations in the Statutes of Ontario, 1995.

1. Regulation 316 of the Revised Regulations of Ontario, 1990 is amended by striking out the title "DEFINITIONS" immediately before section 1 and substituting "GENERAL".

2. Section 8 of the Regulation is revoked and the following substituted:

8. An applicant for registration of a design submission shall make the application on a form supplied by the Ministry and include with it,

- (a) two copies of the design submission, in the case of a standard design submission; or
- (b) four copies of the design submission, in all other cases.

3. Subsections 11 (3) and (4) of the Regulation are revoked.

4. Section 12 of the Regulation is revoked and the following substituted:

12. If an official on behalf of the body responsible for administering this Regulation undertakes a preliminary review of an elevating device or any component of an elevating device or an assessment of the acceptability of a requested variance from an adopted code on premises other than those of the body responsible for administering this Regulation, the person for whom the service is being provided shall pay the official's living and travelling expenses as defined in section 34, in addition to the fee set out in the Schedule.

5. Subsection 13 (1) of the Regulation is revoked and the following substituted:

(1) An application for registration as a contractor or for renewal of that registration shall be on a form supplied by the Ministry.

6. Subsection 19 (1) of the Regulation is revoked and the following substituted:

(1) An applicant for an initial licence for an elevating device or for a renewal of that licence shall submit an application on the form supplied by the Ministry.

7. Subsection 20 (4) of the Regulation is revoked and the following substituted:

(4) Subject to subsection (5), upon receiving the information described in subsection (3), the Director shall transfer or re-issue the licence to the new owner.

8. Subsection 22 (5) of the Regulation is revoked.

9. Subsection 32 (1) of the Regulation is amended by striking out "sections 16 and 34" in the first line and substituting "and section 16".

10. Subsections 34 (2) to (11) of the Regulation are revoked and the following substituted:

(2) In addition to the fee set out in the Schedule, an owner or contractor, as the case may be, shall pay the living and travelling expenses of an inspector who performs an inspection if,

- (a) the inspection is unduly delayed or prolonged because the owner fails to comply with a requirement of clause 6 (1) (c) or (d) of the Act; or
- (b) the inspection is performed by reason of a previously issued order and is specially arranged to suit the owner's or contractor's schedule.

11. The Regulation is amended by adding the following section immediately before "PART II":

34.1 (1) The fees prescribed in the Schedule are payable under the Act and this Regulation.

(2) A fee set out in the Schedule that is expressed as an amount per hour is payable on the basis of each quarter hour or part of a quarter hour that the person charging the fee spends, subject to the minimum set out in the Schedule.

12. Tables 1, 2 and 3 of the Regulation are revoked.

13. The Regulation is amended by adding the following Schedule:



## Schedule

## FEES

Item No.	Description	Fee \$	
<b>Design Submissions</b>			
1.	For reviewing an application for registration of a design submission .....	120.00	
		per hour	
		per person	
		reviewing,	
		minimum of	
		one hour	
2.	For reviewing notification of a minor alteration-Type B .....	120.00	
		per hour	
		per person	
		reviewing,	
		minimum of	
		one hour	
3.	For reviewing an engineering test or certification of an elevating device component that a laboratory or designated organization is required to file .....	120.00	
		per hour	
		per person	
		reviewing,	
		minimum of	
		one hour	
4.	For a preliminary review of the design of an elevating device or component, including an assessment of acceptability for a variance from adopted codes .....	120.00	
		per hour	
		per person	
		reviewing,	
		minimum of	
		one hour	
<b>Contractors' Registration</b>			
5.	On an application for registration as a contractor .....	535.00	
6.	On an application for renewal of a registration as a contractor .....	325.00	
7.	On an application for a limited scope registration (see note 1), limited maintenance or installation or both .....	220.00	
		for each	
		class of	
		elevating	
		device	
8.	On an application for a renewal of a limited scope registration mentioned in item 7 .....	110.00	
9.	On an application by an owner for registration to maintain,		
	(i) elevating devices owned by the contractor .....	20.00	
		for each	
		maintained	
		device to a	
		maximum of	
		535.00	
	(ii) other devices owned by the contractor .....	20.00	
		for each	
		maintained	
		device to a	
		maximum of	
		220.00	
10.	On an application by an owner for the renewal of a registration to maintain,		
	(i) elevating devices owned by the contractor .....	20.00	
		for each	
		maintained	
		device to a	
		maximum of	
		535.00	
	(ii) other devices owned by the contractor .....	20.00	
		for each	
		maintained	
		device to a	
		maximum of	
		110.00	
<b>NOTE 1: A contractor's registration is limited in scope when it is limited to specific functions</b>			
<b>Licences</b>			
11.	On an application for a licence for an elevating device or a renewal of the licence .....	110.00	
12.	For a duplicate installation number under subsection 22 (4) .....	60.00	
<b>Inspections</b>			
13.	For an inspection under section 32 .....	120.00	
		per hour	
		per person	
		inspecting,	
		minimum of	
		one hour	
14.	For a copy of an inspection report .....	60.00	
15.	For an inspection status summary .....	60.00	
<b>14. This Regulation comes into force on October 1, 1996.</b>			



**ONTARIO REGULATION 440/96**  
made under the  
**AMUSEMENT DEVICES ACT**

Made: September 25, 1996  
Filed: September 27, 1996

Amending Reg. 20 of R.R.O. 1990  
(General)

Note: Regulation 20 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 13 of Regulation 20 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:**

(1.1) A fee set out in the Schedule that is expressed as an amount per hour is payable on the basis of each quarter hour or part of a quarter hour that the person charging the fee spends, subject to the minimum set out in the Schedule.

**2. The Schedule to the Regulation is revoked and the following substituted:**

**Schedule**  
**FEEES**

Item No.	Description	Fee \$
1.	On an application for a licence to carry on the business of operating an amusement device or for the renewal of the licence .....	150.00
2.	On an application for a permit to operate an amusement device or for the renewal of the permit .....	55.00
3.	For reviewing the submission of a technical dossier or amendments to it .....	120.00 per hour per person reviewing, minimum of one hour
4.	For reviewing the submission of a technical dossier outside the offices of the body responsible for administering this Regulation .....	120.00 per hour per person reviewing, minimum of one hour, plus all rea- sonable travelling, meal and accommo- dation expenses necessarily incurred

**RÈGLEMENT DE L'ONTARIO 440/96**  
pris en application de la  
**LOI SUR LES ATTRACTIONS**

pris le 25 septembre 1996  
déposé le 27 septembre 1996

modifiant le Règl. 20 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Le Règlement 20 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

**1. L'article 13 du Règlement 20 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction du paragraphe suivant :**

(1.1) Les droits indiqués dans l'annexe qui sont exprimés sous forme de tarif horaire sont payables en fonction de chaque quart d'heure — toute partie de quart d'heure comptant pour un quart d'heure — que la personne qui les demande consacre à l'activité concernée, sous réserve du minimum indiqué dans l'annexe.

**2. L'annexe du Règlement est abrogée et remplacée par ce qui suit :**

**Annexe**  
**DROITS**

Numéro	Description	Droits \$
1.	Demande de licence d'exploitation d'une attraction ou de renouvellement d'une telle licence .....	150,00
2.	Demande de permis autorisant le fonctionnement d'une attraction ou de renouvellement d'un tel permis .....	55,00
3.	Examen d'un dossier technique ou des modifications qui y sont apportées .....	120,00 l'heure par examineur, minimum d'une heure
4.	Examen d'un dossier technique à l'extérieur des bureaux de l'organisme responsable de l'application du présent règlement .....	120,00 l'heure par examineur, minimum d'une heure, plus tous les frais raison- nables de déplacement, de repas et d'héberge- ment qui ont dû être engagés

5.	For inspections by an inspector .....	120.00 per hour per person inspecting, minimum of one hour
6.	For a copy of an inspection report or other document relating to an amusement device ...	40.00
7.	For a replacement of a registration number notice .....	65.00

3. This Regulation comes into force on October 1, 1996.

5.	Inspections effectuées par un inspecteur ..	120,00 l'heure par inspecteur, minimum d'une heure
6.	Copie d'un rapport d'inspection ou de tout autre document relatif à l'attraction ..	40,00
7.	Remplacement d'un avis de numéro d'enregistrement .....	65,00

3. Le présent règlement entre en vigueur le 1<sup>er</sup> octobre 1996.

41/96

**ONTARIO REGULATION 441/96**  
made under the  
**ENERGY ACT**

Made: September 25, 1996

Filed: September 27, 1996

Amending O. Reg. 250/94  
(Propane Storage, Handling and Utilization)

Note: Ontario Regulation 250/94 has been amended by Ontario Regulation 351/96.

1. Subsections 20 (1), (2), (3), (4), (5) and (6) of Ontario Regulation 250/94 are revoked and the following substituted:

(1) A licence or registration is not transferable.

(2) If the name on a licence or registration changes, the holder shall promptly apply to the Director for a licence or registration containing the new name and shall pay the required fee.

(3) On receiving payment of the required fee, the Director shall issue a licence or registration containing the new name.

(4) If the address on a licence or registration changes, the holder shall notify the Director of the new address within six days of the change.

(5) A holder whose licence or registration is lost or destroyed shall promptly apply to the Director for a duplicate of it and shall pay the required fee.

(6) On receiving payment of the required fee, the Director shall issue a duplicate licence or registration.

2. Section 21 of the Regulation is amended by adding the following subsection:

(4) A fee set out in the Schedule that is expressed as an amount per hour is payable on the basis of each quarter hour or part of a quarter hour that the person charging the fee spends, subject to the minimum set out in the Schedule.

3. Paragraphs 8 and 9 of the Schedule to the Regulation are revoked and the following substituted:

8. Inspection services ..... \$ 120.00  
per hour for  
each inspec-  
tor provid-  
ing the ser-  
vices, mini-  
mum of one  
hour

9. Engineering services ..... 120.00  
per hour for  
each person  
providing  
the services,  
minimum of  
one hour

4. This Regulation comes into force on October 1, 1996.

41/96

**ONTARIO REGULATION 442/96**  
made under the  
**ENERGY ACT**

Made: September 25, 1996

Filed: September 27, 1996

Amending Reg. 329 of R.R.O. 1990  
(Fuel Oil Code)

Note: Since January 1, 1996, Regulation 329 has been amended by Ontario Regulation 349/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 26 of Regulation 329 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(2) A fee set out in the Schedule that is expressed as an amount per hour is payable on the basis of each quarter hour or part of a quarter hour that the person charging the fee spends, subject to the minimum set out in the Schedule.

2. The Schedule to the Regulation is revoked and the following substituted:



## Schedule

## FEES

Item No.	Description	Fees \$
1.	Application for a licence to distribute fuel oil by pipeline, or renewal of the licence . .	25,000.00
2.	Application for registration as a contractor, or renewal of the registration . . . . .	210.00
3.	Issuance of a duplicate licence or registration . . . . .	15.00
4.	Issuance of a licence or registration containing a new name . . . . .	15.00
5.	Inspection services . . . . .	120.00 per hour for each inspector providing the services, minimum of one hour
6.	Engineering services . . . . .	120.00 per hour for each person providing the services, minimum of one hour

3. This Regulation comes into force on October 1, 1996.

41/96

## ONTARIO REGULATION 443/96

made under the  
ENERGY ACT

Made: September 25, 1996

Filed: September 27, 1996

Amending Reg. 330 of R.R.O. 1990  
(Gas Pipeline Systems)

Note: Regulation 330 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 19 of Regulation 330 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(2) A fee set out in the Schedule that is expressed as an amount per hour is payable on the basis of each quarter hour or part of a quarter hour that the person charging the fee spends, subject to the minimum set out in the Schedule.

2. Items 8 and 9 of the Schedule to the Regulation are revoked and the following substituted:

8.	Inspection services . . . . .	120.00 per hour for each inspector providing the services, minimum of one hour
9.	Engineering services . . . . .	120.00 per hour for each person providing the services, minimum of one hour

3. This Regulation comes into force on October 1, 1996.

41/96

ONTARIO REGULATION 444/96  
made under the  
BOILERS AND PRESSURE VESSELS ACT

Made: September 25, 1996

Filed: September 27, 1996

Amending Reg. 59 of R.R.O. 1990  
(General)

Note: Regulation 59 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Clause 6 (1) (b) of Regulation 59 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(b) upon payment of the fee prescribed by Table 4.

2. (1) Subsection 8 (3) of the Regulation is amended by striking out "subparagraph ii of paragraph 1 of" in the third line.

(2) Subsection 8 (4) of the Regulation is amended by striking out "subparagraph iii of paragraph 1 of" in the fourth line.

3. Subsection 13 (2) of the Regulation is revoked and the following substituted:

(2) The fees payable for registration of a revised design are the same as the fees prescribed by Table 4 for an original registration.

4. Section 29 of the Regulation is amended by adding the following subsection:

(2) A fee set out in the Schedule that is expressed as an amount per hour or per half hour is payable on the basis of each quarter hour or part of a quarter hour that the person charging the fee spends, subject to the minimum set out in the Schedule.

5. Table 4 of the Regulation is revoked and the following substituted:



TABLE 4

## TARIFF OF FEES

Item No.	Description	Fees \$
<b>CERTIFICATE OF COMPETENCY</b>		
1.	On an application for examination to obtain a certificate of competency .....	75.00
2.	On the issue or renewal of a certificate of competency .....	75.00
<b>Examination and Registration</b>		
3.	For all examinations, registrations, or both, relating to conventional facilities .....	120.00 per hour per person performing the services, minimum of one hour
4.	For all examinations, registrations, or both, relating to nuclear facilities .....	240.00 per person performing the services for the first two hours or less; after that, 120.00 per hour
5.	On the examination of revisions to a previously registered design .....	60.00 per half hour per person performing the services, minimum of one-half hour
6.	For each set of extra copies of a design marked "registered" .....	50.00
<b>Inspections</b>		
7.	For inspections by an inspector .....	120.00 per hour per person inspecting, minimum of one hour
<b>Certificates of Approval or Inspection</b>		
8.	On the issue of a certificate of approval under section 16 of the Act or a certificate of inspection under subsection 29 (2), (3) or (4) of the Act .....	80.00
9.	On the issue of a duplicate certificate of approval or inspection .....	45.00
<b>Welding</b>		
10.	On the qualification testing of a welding operator .....	95.00
<b>Surveys, Audits and Consultation</b>		
11.	On any survey or audit of a manufacturer's nuclear facility .....	4,000.00

12.	On any survey or audit of a manufacturer's conventional facility .....	2,000.00
13.	On any consultation with officials of the body responsible for administering this Regulation relating to quality assurance manuals or procedures .....	120.00 per official per hour, minimum of one hour

3. This Regulation comes into force on October 1, 1996.

41/96

**ONTARIO REGULATION 445/96**  
made under the  
**UPHOLSTERED AND STUFFED ARTICLES ACT**

Made: September 25, 1996

Filed: September 27, 1996

Amending Reg. 1092 of R.R.O. 1990  
(General)

Note: Regulation 1092 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Item 2 of Schedule 2 to Regulation 1092 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

2. Registration as a home hobby or craft operator or renewal of the registration ..... 20.00

2. This Regulation comes into force on October 1, 1996.

41/96

**ONTARIO REGULATION 446/96**  
made under the  
**OPERATING ENGINEERS ACT**

Made: September 25, 1996

Filed: September 27, 1996

Amending Reg. 904 of R.R.O. 1990  
(General)

Note: Regulation 904 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 28 of Regulation 904 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(10) A fee set out in the Schedule that is expressed as an amount per hour is payable on the basis of each quarter hour or part of a quarter hour that the person charging the fee spends, subject to the minimum set out in the Schedule.

2. Items 10 and 11 of the Schedule to the Regulation are revoked and the following substituted:

10. On the issue of a duplicate certificate of qualification or, in the case of a legal change of name, on the re-issue of a certificate of qualification ..... 60.00
  11. On the reinstatement of a certificate of qualification if less than one year has elapsed since the date of expiry ..... 60.00
3. This Regulation comes into force on October 1, 1996.

41/96

**ONTARIO REGULATION 447/96**  
made under the  
**GASOLINE HANDLING ACT**

Made: September 25, 1996  
Filed: September 27, 1996

Amending O. Reg. 521/93  
(General)

Note: Ontario Regulation 521/93 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 19.1 of Ontario Regulation 521/93 is amended by adding the following subsection:

(4) A fee set out in the Schedule that is expressed as an amount per hour is payable on the basis of each quarter hour or part of a quarter hour that the person charging the fee spends, subject to the minimum set out in the Schedule.

2. (1) Item 2 of the Schedule to the Regulation is revoked and the following substituted:

2. Application for a licence to operate a retail outlet or for the renewal of the licence ..... 155.00
- 2.1 Application for a licence to operate a marina or for the renewal of the licence ..... 100.00

(2) Items 7 and 8 of the Schedule to the Regulation are revoked and the following substituted:

7. Inspection services ..... 120.00  
per hour  
for each  
inspector  
providing the  
services,  
minimum of one  
hour
8. Engineering services ..... 120.00  
per hour  
for each person  
providing the  
services,  
minimum of one  
hour

3. This Regulation comes into force on October 1, 1996.

41/96

**ONTARIO REGULATION 448/96**  
made under the  
**ENVIRONMENTAL ASSESSMENT ACT**

Made: September 25, 1996  
Filed: September 27, 1996

Amending O. Reg. 71/93  
(Designation—Laidlaw Environmental Services Ltd.,  
Rotary Kiln Incinerator)

Note: Ontario Regulation 71/93 has not previously been amended.

1. The title to Ontario Regulation 71/93 is revoked and the following substituted:

DESIGNATION—LAIDLAW ENVIRONMENTAL SERVICES LTD.

2. Section 1 of the Regulation is amended by striking out "section 2" in the last line and substituting "section 2 or 3".

3. The Regulation is amended by adding the following section:

3. Any enterprise or activity by Laidlaw Environmental Services Ltd. of disposing of waste on the landfill site located on Lot 9 and part of Lot 10, Concession X, Township of Moore, County of Lambton that constitutes an expansion of an enterprise or activity regulated under Certificate of Approval No. 031806 dated October 20, 1994 and issued under the *Environmental Protection Act* is defined as a major commercial or business enterprise or activity and is designated as an undertaking to which the *Environmental Assessment Act* applies.

41/96

**CORRECTION**

Ontario Regulation 292/96 under the *Workers' Compensation Act* published in the July 13, 1996 issue of *The Ontario Gazette*.

The definition of "B", as set out in subsection 2 (2) of Ontario Regulation 292/96, should have read as follows:

"B" equals \$1,722.22 adjusted by the ratio described in subsection 25 (7).



# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—10—19

## ONTARIO REGULATION 449/96 made under the MILK ACT

Made: September 30, 1996

Filed: October 1, 1996

Amending Reg. 753 of R.R.O. 1990  
(Grades, Standards, Designations, Classes,  
Packing and Marking)

Note: Regulation 753 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Sections 11 and 12 of Regulation 753 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

11. (1) The classes of milk set out in the Table to this section are established.

(2) Milk that comes within any of classes 5a to 5e is excluded from any other class.

(3) Unaccountable losses in a plant shall be prorated among the classes used in the plant in proportion to the volumes of each class used.

TABLE

Class	Description
1a	sold as milk, partly-skimmed milk or skim-milk, except skim-milk sold in bulk and not for resale as a fluid milk product
1b	sold as cream, table cream, double cream or whipping cream 90% of amount sold as flavoured cream
1c	sold as buttermilk, except buttermilk sold in bulk and not for resale as a fluid milk product 90% of amount sold as flavoured milk, flavoured partly-skimmed milk or flavoured skim-milk used to process eggnog, dairy cordials, sour milk, milk beverage, concentrated milk, concentrated partly-skimmed milk, concentrated skim-milk or concentrated flavoured milk
2	used to process sour cream, yogurt, frozen yogurt, beverage yogurt, yogurt shake, ice cream, ice cream mix, ice milk, ice milk mix, sherbet, sherbet mix, frozen dairy dessert, milk shake, milk shake mix, kefir, malted milk, infant foods, foods used in geriatrics, foods for convalescents, meal replacements, food products, caffeinate or unhomogenized milk to be sold to a consumer in a container of 20 litres or more with no internal gradations

Class	Description
3a	used to process specialty cheese, fresh cheeses, fresh cheddar-type cheese or cheese curds
3b	used to process cheddar cheese, stirred curd, creamy cheese bases or cheese mixes
4a	used to process butter, butteroil, low-fat dairy spread, casein, sodium caseinate, milk albumen, milk sugar, milk powders, yogurt powder or sour cream powder
4b	used to process condensed milk for retail sale or sweetened condensed milk for retail sale
4c	used to process new milk products or new fluid milk products
4d	used to process livestock feeds and any milk products not referred to in this Table inventory of a plant
5a	used to process cheese for further processing in Canada, other than by the confectionary sector
5b	used to process milk products, other than cheese, for further processing in Canada, other than by the confectionary sector
5c	used to process milk products for the confectionary sector
5d	used to process milk for export outside Canada, other than milk products processed for surplus removal of milk or milk components
5e	used to process milk products for export outside Canada that are processed for surplus removal of milk or milk components

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

J. WHEELER  
Chair

GLORIA MARCO BORYS  
Secretary

Dated at Toronto on September 30, 1996.

42/96



**ONTARIO REGULATION 450/96**made under the  
**HIGHWAY TRAFFIC ACT**

Made: September 30, 1996

Filed: October 2, 1996

Amending Reg. 623 of R.R.O. 1990  
(Stop Signs at Intersections)

Note: Since January 1, 1996, Regulation 623 has not been amended. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Regulation 623 of the Revised Regulations of Ontario, 1990 is amended by adding the following Schedule:

**Schedule 125**

1. Highway No. 548 in the Township of Hilton in the Territorial District of Algoma at its intersection with the roadways known as Baseline Road and Hilton Road.

2. Southbound on Highway No. 548.

AL PALLADINI  
*Minister of Transportation*

Dated at Toronto on September 30, 1996.

42/96

**ONTARIO REGULATION 451/96**made under the  
**LOCAL ROADS BOARDS ACT**

Made: September 30, 1996

Filed: October 2, 1996

Amending Reg. 735 of R.R.O. 1990  
(Establishment of Local Roads Areas—Northwestern Region)

Note: Since January 1, 1996, Regulation 735 has been amended by Ontario Regulations 1/96, 5/96 and 146/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Schedule 21 to Regulation 735 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

**Schedule 21****ENA LAKE LOCAL ROADS AREA**

All those portions of the Township of Redditt and unsurveyed territory lying west of the Township of Redditt in the Territorial District of Kenora shown outlined on Ministry of Transportation Plan N-3000-3, filed with the Record Services Unit of the Ministry of Transportation at Thunder Bay on August 2, 1996.

2. Schedule 59 of the Regulation is revoked and the following substituted:

**Schedule 59****REDDITT LOCAL ROADS AREA**

All those portions of the Township of Redditt and unsurveyed territory lying north of the Township of Redditt in the Territorial District of Kenora shown on Ministry of Transportation Plan N-689-4, filed with the Record Services Unit of the Ministry of Transportation at Thunder Bay on August 2, 1996.

AL PALLADINI  
*Minister of Transportation*

Dated at Toronto on September 30, 1996.

42/96

**ONTARIO REGULATION 452/96**made under the  
**CROWN FOREST SUSTAINABILITY ACT, 1994**

Made: October 2, 1996

Filed: October 3, 1996

Amending O. Reg. 167/95  
(General)

Note: Since January 1, 1996, Ontario Regulation 167/95 has been amended by Ontario Regulation 397/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Ontario Regulation 167/95 is amended by adding immediately after the heading "Manuals" the following section:

26.1 The Forest Management Planning Manual prepared by the Ministry under paragraph 1 of subsection 68 (1) of the Act and dated September 1996 is approved.

42/96

**ONTARIO REGULATION 453/96**made under the  
**PUBLIC LANDS ACT**

Made: October 2, 1996

Filed: October 3, 1996

**WORK PERMIT—CONSTRUCTION**

1. In this Regulation,

"building" means a structure consisting of a roof, wall or floor, but does not include floating structures, docks, boathouses, tents or ice huts;

"dredge" means to remove or displace material from any shore lands, but does not include removal or displacement relating to the installation of service cables, heat loops or water intakes for private residences;

"shore lands" means lands covered or seasonally inundated by the water of a lake, river, stream or pond;

"trail" means a path over public lands that is not used for mineral exploration or extraction;

"water crossing" means a bridge, culvert or causeway constructed to provide access to two points separated by water.

2. (1) No person shall,

- (a) construct a building on public land;
- (b) construct a trail, water crossing or road on public land;
- (c) dredge shore lands;
- (d) fill shore lands;
- (e) remove aquatic vegetation from shore lands located in the area set out in Schedule 1;
- (f) remove more than 100 square metres of aquatic vegetation annually from shore lands located in the area set out in Schedule 2; or
- (g) construct or place a structure that occupies more than 15 square metres of shore lands.

(2) Subsection (1) does not apply to a person who does the activity in accordance with a work permit or under an instrument granted under the *Public Lands Act*.

(3) Clause (1) (b) does not apply to a trail, water crossing or road that has been authorized under a Forest Management Plan under the *Crown Forest Sustainability Act* or constructed as part of a forest operation to which the *Crown Forest Sustainability Act* applies.

#### Schedule 1

The land situated north of Highway 401 starting at the Ontario-Quebec boarder to the junction of Highway 401 and Highway 38, then east of Highway 38 from the junction of Highway 401 and Highway 38 to the junction of Highway 38 and Highway 7, then north of Highway 7 from the junction with Highway 38 and 7 to Clearwater on Lake Huron.

#### Schedule 2

The land situated south of Highway 401 starting at the Ontario-Quebec border to the junction of Highway 401 and Highway 38, then west of Highway 38 from the junction of Highway 401 and Highway 38 to the junction of Highway 38 and Highway 7, then south of Highway 7 from the junction of Highway 38 and 7 to Clearwater.

42/96

### ONTARIO REGULATION 454/96

#### made under the LAKES AND RIVERS IMPROVEMENT ACT

Made: October 2, 1996  
Filed: October 3, 1996

### CONSTRUCTION

1. In this Regulation,

"channelize" means to alter the alignment, width, depth, sinuosity, conveyance or bed or bank material of a river or stream channel;

"dam" means a structure constructed as a barrier across a river, lake, pond or stream to hold back water in order to raise its level, create a reservoir to control flooding or divert the flow of water;

"water crossing" means a bridge, culvert or causeway that is constructed to provide access between two places separated by water but that also holds back, forwards or diverts water.

2. For the purpose of subsection 14 (1) and section 16 of the Act, approval is required to,

- (a) construct or make improvements to a dam;
- (b) construct a water crossing draining an area greater than five square kilometres, unless construction is undertaken by a Ministry, municipality or Conservation Authority on lands owned by the Crown, the municipality, or the conservation authority undertaking the construction;
- (c) channelize a river or stream that may harmfully alter fish habitat or impede the movement of fish in a river, stream or lake, except for the installation or maintenance of a drain, subject to the *Drainage Act*;
- (d) enclose or cover a length of river or stream for greater than twenty metres in length;
- (e) install, if the installation may result in damming, forwarding or diverting water, a cable or pipeline into the bed of a river, stream or lake except for the installation of heat loops, water intakes and service cables for private residences.

3. No approval is required under section 14 or 16 of the Act for a water crossing to which the *Public Lands Act* applies or that has been constructed as part of a forest operation to which the Forest Operation and Silvicultural Manual under *Crown Forest Sustainability Act* applies.

42/96

### ONTARIO REGULATION 455/96 made under the ENVIRONMENTAL ASSESSMENT ACT

Approved: September 25, 1996  
Filed: October 3, 1996

### EXEMPTION—ONTARIO HYDRO—OH-36

Having received a request from the Ontario Hydro that an undertaking, namely:

the change in the Lake Gibson Small Hydro Generating Station undertaking (which received approval to proceed on condition that construction commence by August 31, 1996) to provide that construction may commence at any time up to August 31, 2001,

be exempt from the application of the Act pursuant to section 29; and

Having been advised by the Ontario Hydro that if the undertaking is subject to the application of the Act, the following injury, damage or interference with the persons and property indicated will occur:

- A. Undue costs to the public and Ontario Hydro will be incurred with no benefit to the environment.

Having weighed such injury, damage or interference against the betterment of the people of the whole or any part of Ontario by the



protection, conservation and wise management in Ontario of the environment which would result from the undertaking being subject to the application of the Act;

The undersigned is of the opinion that it is in the public interest to order and orders that the previously approved undertaking and the changes in the undertaking are exempt from the application of sections 5 and 17 of the Act for the following reasons:

- A. An undertaking consisting of the program of planning, designing, removal of existing equipment and structures, construction, operating and maintaining of hydroelectric generation, incorporation and associated facilities required to develop the hydroelectric generation potential at the existing Allanburg #2 intake control structure on Lake Gibson, was approved on December 19, 1991 pursuant to Order-in-Council No. 3202/91, with the condition that the approval expires on August 31, 1996 if construction of the undertaking has not commenced by that date.
- B. That undertaking and environmental considerations as described in the Lake Gibson Small Hydro Generating Station Environmental Assessment remain unchanged.
- C. An active public and government involvement program was carried out as part of the EA process and no submissions or requests for a hearing were received after giving Notice of Completion of Review dated October 25, 1991.
- D. The protection, conservation, and wise management of the environment have been provided for in the previously approved undertaking.

This exemption is subject to the following terms and conditions:

1. Ontario Hydro shall carry out the construction, operation and maintenance of the Lake Gibson Small Hydro Generating Station in accordance with the previous approval (except for the requirement of commencing construction before August 31, 1996) or as otherwise updated by condition #2.
2. Prior to the commencement of construction, Ontario Hydro will review the predicted effects and proposed mitigation measures described in the previous approval to confirm that they are still valid. Ontario Hydro shall advise the Director by written notice of the results of the review and, if there are major changes, of the steps to be taken to mitigate any associated adverse environmental effects.
3. This exemption order replaces the approval contained in Ontario Regulation 3202/91 which expired on August 31, 1996.
4. This exemption order expires on August 31, 2001 if construction has not commenced by that date.

NORMAN WILLIAM STERLING  
Minister of Environment and Energy

**ONTARIO REGULATION 456/96**  
made under the  
**VICTIMS' BILL OF RIGHTS, 1995**

Made: October 2, 1996

Filed: October 4, 1996

**GENERAL**

1. All crimes described in the *Criminal Code* (Canada) are prescribed for the purposes of paragraphs 3 and 4 of subsection 2 (1).

2. The crimes described in the following provisions of the *Criminal Code* (Canada) are prescribed for the purposes of subsection 3 (1):

1. Section 151.
2. Section 152.
3. Section 153.
4. Section 155.
5. Section 159.
6. Section 170.
7. Section 171.
8. Section 172.
9. Section 220.
10. Section 221.
11. Section 235.
12. Section 236.
13. Section 239.
14. Section 240.
15. Section 244.
16. Section 264.
17. Section 264.1.
18. Section 266.
19. Section 267.
20. Section 268.
21. Section 269.
22. Section 271.
23. Section 272.
24. Section 273.
25. Section 279.
26. Section 279.1.
27. Section 280.
28. Section 281.
29. Section 283.
30. Section 344.
31. Section 372.



## CORRECTION

Ontario Regulation 362/96 under the *Toronto Islands Residential Community Stewardship Act, 1993* published in the August 17, 1996 issue of *The Ontario Gazette*.

Section 4 of Ontario Regulation 362/96 should have read as follows:

4. Subsection 10 (3) of the Regulation is revoked and the following substituted:

(3) The appraised value of a house shall be calculated using the following formula:

$$(A - B) - [(A - B) \times C] + D + E$$

- where
- A = the undepreciated replacement cost new of the existing house and buildings as determined by the appraiser,
  - B = the estimated cost of bringing any deficiencies in the subject residence up to the standards of Toronto Housing By-law #73-68,
  - C = the effective age of the house as defined in the Principles of Appraisal published by the Ontario Real Estate Association multiplied by one per cent,
  - D = the present value of the lateral sanitary sewer and water services, walkways and site improvements,
  - E = the present value of any development fee paid by the initial purchaser of a vacant land lease to the Trust in an amount not to exceed \$14,500 excluding any amount attributable to the items referred to in D.



# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—10—26

## ONTARIO REGULATION 457/96 made under the PLANNING ACT

Made: October 2, 1996  
Filed: October 8, 1996

Amending O. Reg. 493/78

(Restricted Areas—District of Cochrane, Geographic Townships of Casgrain, Hanlan, Kendall, Lowther and Way)

**Note:** Ontario Regulation 493/78 has not been amended in 1996. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1995.

**1. (1) Paragraph 4 of section 2 of Ontario Regulation 493/78 is revoked and the following substituted:**

4. Lots 7 to 11, inclusive, Concession XII, Township of Way, save and except the lands more particularly described as,

i. Parcel 717 Centre Cochrane, being part of Lot 7 in Concession XII.

**(2) Paragraph 11 of section 2 of the Regulation is amended by adding the following subparagraph:**

iv. Parcel 717 Centre Cochrane, being part of Lot 7 in Concession XI.

KAREN SMITH  
*Manager*

*Provincial Planning Services Branch  
Ministry of Municipal Affairs and Housing*

Dated at Toronto on October 2, 1996.

43/96

## ONTARIO REGULATION 458/96 made under the PLANNING ACT

Made: October 7, 1996  
Filed: October 8, 1996

Amending O. Reg. 423/78

(Restricted Areas—District of Cochrane, Geographic Townships of O'Brien, Owens and Teetzel)

**Note:** Ontario Regulation 423/78 has not been amended in 1996. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1995.

**1. Ontario Regulation 423/78 is amended by adding the following section:**

39. (1) Despite section 30, a waste disposal site may be located and used on the lands described in subsection (2).

(2) Subsection (1) applies to that parcel of land in the geographic Township of Teetzel, in the District of Cochrane, being Location RY 358 and designated as Part 1 on Plan 6R-6855 deposited in the Land Registry Office for the Land Titles Division of Cochrane (No. 6).

KAREN SMITH  
*Manager*

*Provincial Planning Services Branch  
Ministry of Municipal Affairs and Housing*

Dated at Toronto on October 7, 1996.

43/96

## ONTARIO REGULATION 459/96 made under the MOTORIZED SNOW VEHICLES ACT

Made: October 1, 1996  
Filed: October 10, 1996

Amending Reg. 803 of R.R.O. 1990  
(Designations)

**Note:** Since January 1, 1996, Regulation 803 has not been amended. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 2 of Regulation 803 of Revised Regulations of Ontario, 1990, is amended by adding the following paragraph:**

6. All of the King's Highway known as No. 416.

AL PALLADINI  
*Minister of Transportation*

Dated at Toronto on October 1, 1996.

43/96

## ONTARIO REGULATION 460/96 made under the GAME AND FISH ACT

Made: October 9, 1996  
Filed: October 10, 1996

Amending Reg. 530 of R.R.O. 1990  
(Wildlife Management Units)

**Note:** Regulation 530 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. The Schedule to Regulation 530 of the Revised Regulations of Ontario, 1990 is amended by revoking the legal descriptions of**



WMUs 38, 69A, 69A-1, 69A-2 and 69A-3 and substituting the following:

### WMU 38

All that land in the territorial districts of Algoma and Sudbury in the Province of Ontario described as follows:

Beginning at the intersection of the centre line of a road in the geographic Township of Gallagher, known locally as the Devon Road with the centre line of the right-of-way of the Canadian Pacific Railway Company; thence in a southeasterly direction along the centre line of the Canadian Pacific Railway to the intersection with the centre line of the Webbwood Road; thence northerly along that centre line to the intersection with the centre line of a road known locally as the Ramsey Road at the community of Ramsey in the geographic Township of the Carew; thence in a general easterly direction along that centre line in the geographic Townships of Carew, Fingal, Arbutus, Alcona, Smuts and Invergarry to the intersection with the centre line of that part of the King's Highway known as No. 144; thence in a southerly direction along that centre line to the intersection with the centre line of the Eastsand Creek; thence in a southwesterly direction along that centre line to the intersection with the centre line of the East Spanish River System; thence in a southerly direction along that centre line flowing through Eleventh Lake, Duke Lake, Tenth Lake, Ninth Lake, Eighth Lake, Seventh Lake, Sixth Lake, Fifth Lake, Fourth Lake, Third Lake, Second Lake, First Lake and Expanse Lake to the intersection with the centre line of the Spanish River; thence in a southerly direction along the Spanish River System composed of the Spanish River, Spanish Lake, the Elbow, Graveyard Rapids and Boswell Rapids to the intersection with the northerly boundary of the geographic Township of Dunlop; thence westerly along the northerly boundary of the geographic Townships of Dunlop, Shibananing, Boon and Gerow to the intersection of the centre of the Serpent River System composed of Whiskey Lake, Kindle Lake, Nook Lake and Quirke Lake; thence in a northwesterly direction along that centre line to the intersection with the centre line of that part of the King's Highway known as Secondary Highway No. 639; thence in a northerly direction along that centre line to the intersection with the centre line of that part of King's Highway known as Secondary Highway 546; thence in a northerly direction along that centre line to the intersection with the centre line of the Kindiogami River; thence westerly and northerly along that centre line to the intersection with the centre line Kindiogami Lake; thence in a westerly direction along that centre line to the intersection with the easterly boundary of the geographical Township of Winkler; thence northerly along that boundary to the northeasterly corner of the geographic Township of Winkler; thence westerly along the northerly boundary of the geographical Township of Winkler to the intersection with the high water mark on the southerly shore of Rocky Island Lake; thence in a westerly direction along that water mark to the intersection with the high water mark of Aubrey Lake; thence in a southerly, westerly and northerly direction along that high water mark on the easterly, southerly and westerly shore of that lake to the intersection with the centre line of the Mississagi River; thence in a westerly direction along that centre line to the intersection with the centre line of the Mississagi River; thence in a westerly direction along that centre line to the intersection with the centre line of that part of the King's Highway known as No. 129; thence in a northerly direction along that centre line to the point of intersection with the centre line of that part of the King's Highway known as No. 101 and No. 129; thence in a northerly direction along that centre line to the point of intersection with the centre line of that part of the King's Highway known as No. 101 and No. 129; thence in a northeasterly direction along that centre line to the point of intersection with the centre line of a road known locally as the Devon Road, in the geographic Township of Chappise; thence in

a southeasterly and northwesterly direction along that centre line to the place of beginning.

### WMU 69A

All that land in the counties of Hastings, Frontenac and Lennox and Addington in the Province of Ontario more particularly described in WMU's 69A-1, 69A-2 and 69A-3.

### WMU 69A-1

All that land in the Counties of Hastings and Lennox and Addington in the Province of Ontario more particularly described as follows:

Those parts of the municipal Townships of Sidney, Thurlow and Tyendinaga in the County of Hastings, and Richmond in the County of Lennox and Addington, lying south of the centre line of the part of the King's Highway known as No. 401.

### WMU 69A-2

All that land in the Counties of Lennox and Addington and Frontenac, in the Province of Ontario described as follows:

1. The municipal Townships of Adolphustown, South Fredericksburgh, North Fredericksburgh and Amherst Island in the County of Lennox and Addington.
2. That part of the municipal Township of Ernestown in the County of Lennox and Addington described as follows:

Beginning at the intersection of the westerly boundary of the Township of Ernestown with the centre line of that part of the King's Highway known as No. 401; thence in an easterly direction along that centre line to the intersection with the easterly boundary of the Township of Ernestown; thence in a southeasterly direction along the easterly boundary of the Township of Ernestown to the intersection with the centre line of County Road No. 23 (Taylor-Kidd Boulevard); thence westerly along the centre line to the intersection with the centre line of Lennox and Addington county road No. 6; thence southeasterly along that centre line to the intersection with the water's edge of Lake Ontario; thence southeasterly along the water's edge of Lake Ontario to the intersection with the westerly boundary of the Township of Ernestown; thence in northwesterly direction along the westerly boundary of the Township of Ernestown to the place of beginning.

3. The municipal Township of Howe Island in the County of Frontenac.

### MU 69A-3

All that land in the County of Frontenac in the Province of Ontario described, more particularly described as follows:

1. Those parts of the municipal Townships of Kingston and Pittsburgh in the County of Frontenac, lying south of the centre line of the part of the King's Highway known as No. 401.
2. The municipal Township of Wolfe Island in the County of Frontenac.



**ONTARIO REGULATION 461/96**  
made under the  
**INSURANCE ACT**

Made: October 9, 1996  
Filed: October 10, 1996

**COURT PROCEEDINGS FOR AUTOMOBILE  
ACCIDENTS THAT OCCUR ON OR AFTER  
NOVEMBER 1, 1996**

**DEFINITION**

**1. In this Regulation,**

"incident" means the incident from which the bodily injury or death arose.

**INFORMATION BEFORE ACTION**

2. (1) For the purpose of clause 258.3 (1) (c) of the Act, the following information must have been provided to the defendant within 30 days after notice was served under clause 258.3 (1) (b) of the Act:

1. The name of the plaintiff's insurer.
2. If the plaintiff is making a claim in respect of income loss, evidence of the plaintiff's income from all sources for the 52 weeks immediately preceding the incident.
3. If the plaintiff is making a claim arising out of a person's death, the plaintiff's consent to the defendant obtaining a copy of the autopsy report.

(2) For the purpose of clause 258.3 (1) (c) of the Act,

- (a) a copy, or the plaintiff's consent to the defendant obtaining a copy, of every application for statutory accident benefits that the plaintiff submitted to the plaintiff's insurer during the time period described in subsection (3) as a result of the incident, and all other material submitted in connection with the applications, must have been provided to the defendant not later than 30 days after the end of that period;
- (b) a copy, or the plaintiff's consent to the defendant obtaining a copy, of every application that the plaintiff submitted to another person during the time period described in subsection (3) for benefits that may be available as a result of the incident must have been provided to the defendant not later than 30 days after the end of that period;
- (c) a copy of every medical report prepared for the plaintiff during the time period described in subsection (3) in respect of the plaintiff's injuries arising from the incident must have been provided to the defendant not later than 30 days after the end of that period; and
- (d) a copy, or the plaintiff's consent to the defendant obtaining a copy, of any clinical notes and records prepared by every member of a health profession who cared for the plaintiff during the time period described in subsection (3) in respect of injuries arising from the incident must have been provided to the defendant not later than 30 days after the end of that period.

(3) The time period referred to in subsection (2) is the period that begins at the time of the incident and ends on the later of the following days:

1. The day the notice is served under clause 258.3 (1) (b) of the Act.

2. 120 days after the incident.

(4) Clauses (2) (c) and (d) do not apply unless the defendant pays all reasonable expenses incurred in obtaining the material referred to in those clauses.

(5) In clause (2) (d),

"member of a health profession" means a member of a College as defined in the *Regulated Health Professions Act, 1991*.

**MEDIATION**

3. (1) If a request for mediation is made under subsection 258.6 (1) of the Act, the plaintiff and the defendant's insurer shall, within 10 days after the request is made, agree on and appoint a person to be the mediator.

(2) If the plaintiff and the defendant's insurer are unable to agree on the appointment of a mediator, each of them shall, within 10 days after the request is made, name a person to participate in the mediator's appointment, and the two persons named shall together appoint a person to be the mediator.

(3) The mediation shall begin on a date agreed to by the plaintiff and the defendant's insurer or, if they are unable to agree on a date, within 14 days after the mediator is appointed.

(4) The mediator may adjourn the mediation, with or without conditions,

(a) if the plaintiff or the defendant's insurer is represented in the mediation and the representative is not authorized to bind the person he or she represents; or

(b) the plaintiff or defendant is not present at the mediation.

(5) The mediator shall give the plaintiff and the defendant's insurer a written report identifying the issues that were settled and the issues that remain in dispute.

(6) The defendant's insurer shall pay all reasonable fees and expenses of the mediator.

**DETERMINATION OF NET INCOME LOSS  
AND NET LOSS OF EARNING CAPACITY**

4. (1) For the purpose of paragraph 2 of subsection 267.5 (1) of the Act, a person's net income loss for a period of time shall be determined by subtracting the person's actual net income for the period from the net income the person would have earned for the period if the incident had not occurred.

(2) For the purpose of subsection (1), a person's net income for a period shall be determined in accordance with the following formula:

$$A = B - C - D - E$$

where,

- A = the person's net income for the period,
- B = the person's gross income from employment for the period,
- C = the premiums payable by the person on the gross income from employment for the period under the *Employment Insurance Act* (Canada),
- D = the contribution payable by the person on the gross income from employment for the period under the *Canada Pension Plan* (Canada),
- E = the income tax payable by the person on the gross income from employment for the period under the *Income Tax Act* (Canada) and the *Income Tax Act* (Ontario).



(3) For the purpose of subsection (2), a person is employed if, for salary, wages, other remuneration or profit, the person is engaged in employment, including self-employment, or is the holder of an office, and "employment" has a corresponding meaning.

(4) For the purpose of subsection (2), the person whose net income loss is to be determined shall be deemed to be a resident of Ontario.

(5) For the purpose of subsection (2), the income tax payable by a person under the *Income Tax Act* (Canada) and the *Income Tax Act* (Ontario) shall be determined having regard to only the following deductions and tax credits that apply to the person under those Acts:

1. Alimony and maintenance payments deduction.
2. Basic personal tax credit.
3. Married person's tax credit or equivalent to married tax credit.
4. Age tax credit.
5. Disability tax credit.
6. Employment insurance premium tax credit.
7. Canada Pension Plan tax credit.
8. Quebec Pension Plan tax credit.

(6) For the purpose of paragraph 3 of subsection 267.5 (1) of the Act, a person's net loss of earning capacity for a period shall be determined in the same manner as it would have been determined by a court before this Regulation came into force.

#### DEFINITION OF CATASTROPHIC IMPAIRMENT

5. (1) For the purpose of subsection 267.5 (4) of the Act,

"catastrophic impairment" means,

- (a) paraplegia or quadriplegia,
- (b) amputation or other impairment causing the total and permanent loss of use of both arms,
- (c) amputation or other impairment causing the total and permanent loss of use of both an arm and a leg,
- (d) total loss of vision in both eyes,
- (e) brain impairment that, as a result of the incident, results in,
  - (i) a score of 9 or less on the Glasgow Coma Scale, as published in Jennett, B. and Teasdale, G., *Management of Head Injuries*, Contemporary Neurology Series, Volume 20, P.A. Davis Company, Philadelphia, 1981, according to a test administered within a reasonable period of time after the incident by a person trained for that purpose, or
  - (ii) a score of 2 (vegetative) or 3 (severe disability) on the Glasgow Outcome Scale, as published in Jennett, B. and Bond, M., *Assessment of Outcome After Severe Brain Damage*, Lancet i:480, 1975, according to a test administered more than six months after the incident by a person trained for that purpose,
- (f) subject to subsections (2) and (3), any impairment or combination of impairments that, in accordance with the American Medical Association's *Guides to the Evaluation of*

*Permanent Impairment*, 4th edition, 1993, results in 55 per cent or more impairment of the whole person, or

- (g) subject to subsections (2) and (3), any impairment that, in accordance with the American Medical Association's *Guides to the Evaluation of Permanent Impairment*, 4th edition, 1993, results in a class 4 impairment (marked impairment) or class 5 impairment (extreme impairment) due to mental or behavioural disorder.

(2) Clauses (f) and (g) of the definition of "catastrophic impairment" in subsection (1) do not apply in respect of a person unless,

- (a) the person's health practitioner states in writing that the person's condition has stabilized and is not likely to improve with treatment; or
- (b) three years have elapsed since the incident.

(3) For the purpose of clauses (f) and (g) of the definition of "catastrophic impairment" in subsection (1), an impairment that is sustained by a person but is not listed in the American Medical Association's *Guides to the Evaluation of Permanent Impairment*, 4th edition, 1993 shall be deemed to be the impairment that is listed in that document and that is most analogous to the impairment sustained by the person.

(4) In this section,

"health practitioner", in respect of a particular impairment, means a person authorized by law to practise medicine or,

- (a) a person authorized by law to practise chiropractic, if the impairment is one that the person is authorized by law to treat,
- (b) a person authorized by law to practise dentistry, if the impairment is one that the person is authorized by law to treat,
- (c) a person authorized by law to practise optometry, if the impairment is one that the person is authorized by law to treat,
- (d) a person authorized by law to practise psychology, if the impairment is one that the person is authorized by law to treat, or
- (e) a person authorized by law to practice physiotherapy, if the impairment is one that the person is authorized by law to treat;

"impairment" means a loss or abnormality of a psychological, physiological or anatomical structure or function.

#### STRUCTURED JUDGMENTS

6. (1) The court shall order that an award for damages for pecuniary loss be paid periodically under section 267.10 of the Act if two or more of the following circumstances exist:

1. The award, including prejudgment interest but excluding costs, is for \$100,000 or more.
  2. On the date of the order, the plaintiff is less than 18 years of age.
  3. The court is satisfied that the plaintiff has no other means to fund his or her future care.
  4. The court is satisfied that the plaintiff is not likely to manage the award in a prudent manner.
- (2) Subsection (1) does not apply if the court is satisfied that,
- (a) sufficient funds to pay the award periodically are not available under a motor vehicle liability policy; or



- (b) an order to pay the award periodically would have the effect of preventing the plaintiff or another person from obtaining full recovery of a claim arising out of the incident.

## COMMENCEMENT

7. This Regulation comes into force on November 1, 1996.

43/96

**ONTARIO REGULATION 462/96**  
made under the  
**INSURANCE ACT**

Made: October 9, 1996  
Filed: October 10, 1996

Amending O. Reg. 403/96

(Statutory Accident Benefits Schedule—Accidents on or after the day section 29 of the *Automobile Insurance Rate Stability Act, 1996* comes into force)

Note: Ontario Regulation 403/96 has not previously been amended.

1. The title to Ontario Regulation 403/96 is revoked and the following substituted:

**STATUTORY ACCIDENT BENEFITS SCHEDULE—  
ACCIDENTS ON OR AFTER NOVEMBER 1, 1996**

2. Section 1 of the Regulation is revoked and the following substituted:

1. This Regulation may be cited as the *Statutory Accident Benefits Schedule—Accidents on or after November 1, 1996*.

3. Subsection 3 (1) of the Regulation is amended by striking out “the day section 29 of the *Automobile Insurance Rate Stability Act, 1996* comes into force” in the third and fourth lines and substituting “November 1, 1996”.

4. (1) Subparagraph 1 of paragraph 1 of subsection 7 (1) of the Regulation is amended by striking out “income continuation plan” in the third and fourth lines and substituting “income continuation benefit plan”.

(2) Subparagraph 11 of paragraph 1 of subsection 7 (1) of the Regulation is amended by striking out “income continuation plan” in the fourth line and substituting “income continuation benefit plan”.

5. Paragraph 3 of subsection 8 (3) of the Regulation is amended by striking out “gross income” in the third line and substituting “gross income from employment”.

6. (1) Paragraph 1 of subsection 12 (4) of the Regulation is amended by striking out “income continuation plan” in the third line and substituting “income continuation benefit plan”.

(2) Paragraph 2 of subsection 12 (4) of the Regulation is amended by striking out “income continuation plan” in the fourth line and substituting “income continuation benefit plan”.

7. (1) Subsection 29 (1) of the Regulation is amended by striking out “subsection (3)” in the third line and substituting “subsections (2) and (3)”.

(2) Subsection 29 (10) of the Regulation is amended by striking out “subsection 1” in the first line and substituting “subparagraph 1”.

(3) Subsection 29 (12) of the Regulation is amended by striking out “subsection 11” in the first line and substituting “subparagraph 11”.

8. (1) Section 57 of the Regulation is amended by adding the following subsection:

(1.1) Subsection (1) does not apply if the person receives benefits under the law of the jurisdiction in which the accident occurred.

(2) Subsection 57 (4) of the Regulation is amended by striking out “Part” in the first line and substituting “section”.

9. Subsection 59 (3) of the Regulation is amended by striking out “disability” in the third line and substituting “non-earner”.

10. (1) Clause (g) of the definition of “temporary disability benefit” in subsection 60 (3) of the Regulation is amended by adding “or” at the end.

(2) Clause (h) of the definition of “temporary disability benefit” in subsection 60 (3) of the Regulation is amended by striking out “income continuation plan” in the first and second lines and substituting “income continuation benefit plan”.

11. Subsection 63 (2) of the Regulation is revoked and the following substituted:

(2) If a determination of the income tax payable by a person under the *Income Tax Act* (Canada) and the *Income Tax Act* (Ontario) is necessary to determine the amount of a benefit under this Regulation, the applicant for the benefit shall provide the insurer with such information as is reasonably necessary to enable the insurer to make the determination.

12. (1) Clause 66 (1) (a) of the Regulation is amended by striking out “sole partnership” in the third line and substituting “sole proprietorship”.

(2) Clause 66 (2) (a) of the Regulation is amended by striking out “sole partnership” in the third line and substituting “sole proprietorship”.

13. Form 1 of the Regulation is revoked and the following substituted:

## Form 1

## Insurance Act

Return this form to:

# Assessment of Attendant Care Needs (Form 1)

Policy No.
Claim No.

Use this form to report the future needs for attendant care required by the client as a result of an automobile accident. This form has five parts:

- Part 1: Level 1 Attendant Care
- Part 2: Level 2 Attendant Care
- Part 3: Level 3 Attendant Care
- Part 4: Calculation of Attendant Care Costs
- Part 5: Signature of Assessor(s)

Please complete all relevant parts. You will have to make copies and give one to:

- the client
- the client's health practitioner
- the client's insurance company

**Client's Name**

Client's Name		Date of Birth
Street Address		Date of Accident
City	Province	Postal Code
Name of Policyholder (if different than above)		Policy No.

What is the date of this assessment?

Is this the first assessment of this client?

Yes ☐

No ☐

Date of Last Assessment
Current Monthly Allowance

**Client's Health  
Practitioner**

Name of Health Practitioner		Telephone No.
Facility or Institution		
Street Address		
City	Province	Postal Code

**Insurance  
Company**

Name		Telephone No.
Street Address		
City	Province	Postal Code
Name of Policyholder		Policy No.



**Part 1:**  
**Level 1**  
**Attendant Care**

Level 1 attendant care is for routine personal care. Please assess the care requirements of the client for each activity listed. Estimate the time it takes to perform each activity, and the number of times each week it should be performed. Multiply the number of minutes by the number of times each week the activity should be performed to get the total number of minutes per week for each activity.

**Dress**

	Number of Minutes X	Times per week =	Total minutes per week
Upper Body (for example, underwear, shirt/blouse, sweater, tie, jacket, gloves, jewelry)			
Lower Body (for example, underwear, disposable briefs, skirt/pants, socks, panty hose, slippers, shoes)			
<b>Subtotal</b>			

**Undress**

Upper Body (for example, underwear, shirt/blouse, sweater, tie, jacket, gloves, jewelry)			
Lower Body (for example, underwear, disposable briefs, skirt/pants, socks, panty hose, slippers, shoes)			
<b>Subtotal</b>			

**Prosthetics**

applies upper/lower limb prosthesis and stump sock(s)			
exchanges terminal devices and adjusts prosthesis as required			
ensures prosthesis is properly maintained and in good working condition			
<b>Subtotal</b>			

**Orthotics**

assists dressing client using prescribed orthotics (for example, burn garment(s), brace(s), supports, splints, elastic stockings)			
<b>Subtotal</b>			

**Grooming**

Face: wash, rinse, dry, morning and evening			
Hands: wash, rinse, dry, morning and evening, before and after meals, and after elimination			
Shaving: shaves client using an electric/safety razor			
Cosmetics: applies makeup as desired or required			
Hair:			
brushes/combs as required			
shampoos, blow/towel dries			
performs styling, set and comb-out			
Fingernails: cleans and manicures as required			
Toenails: cleans and trims as required			
<b>Subtotal</b>			

## Part 1 continued ...

	Number of Minutes X	Times per week	Total minutes = per week
<b>Feeding</b>			
prepares client for meals (includes transfer to appropriate location)			
provides assistance, either in whole or in part, in serving and feeding meals			
<b>Subtotal</b>			

**Mobility**  
 (location change  
 such as to and from  
 the bedroom for  
 afternoon rests)

assists client from a sitting position (for example, wheelchair, chair, sofa)			
supervises/assists in walking			
performs transfer needs as required (for example, bed to wheelchair, wheelchair to bed)			
<b>Subtotal</b>			

**Extra Laundering**

launders client's bedding and clothing as a result of incontinence/spillage			
launders/cleans orthotic supplies that require special care			
<b>Subtotal</b>			

**Part 1 Total - Add all Part 1 Subtotals. Fill in total here and in Part 4 on Page 7.**

**Part 2:**  
**Level 2**  
**Attendant Care**

Level 2 Attendant Care is for basic supervisory functions. Please assess the care requirements of the client for each activity listed. Estimate the time it takes to perform each activity, and the number of times each week it should be performed. Multiply the number of minutes by the number of times each week the activity should be performed to get the total number of minutes per week for each activity.

**Hygiene**

<b>Bathroom</b>			
clean tub/shower/sink/toilet after client's use			
<b>Bedroom</b>			
changes client's bedding, makes bed, cleans bedroom, including Hoyer lifts, overhead bars, bedside tables			
ensures comfort, safety and security in this environment			
<b>Clothing Care</b>			
assists in preparing daily wearing apparel			
hangs clothes and sorts clothing to be laundered/cleaned			
<b>Subtotal</b>			



## Part 2 continued ...

	Number of Minutes X	Times per week =	Total minutes per week
<b>Ventilator Dependent</b> (high level quadriplegic or approx.)	client lacks the capacity to reattach tubing if it becomes detached from the trachea		
	client lacks the physical capacity to be self-sufficient in an emergency situation		
	<b>Subtotal</b>		
<b>Spinal Cord Injuries</b> (paraplegic/quadriplegic)	client requires assistance to transfer from bed to wheelchair, periodic turning, genitourinary care		
	client lacks the physical capacity to be self-sufficient in an emergency situation		
	<b>Subtotal</b>		
<b>Severe Brain Injuries</b>	client lacks ability to respond to an emergency or needs custodial care due to changes in behaviour		
	<b>Subtotal</b>		
<b>Attendant Care on an Intermittent Basis</b>	client lives alone or is left alone in the day, determine the degree to which the client may be dependent on others (for example, meals, laundry, housekeeping)		
	client may be independent during the day when in a wheelchair or wearing a prosthesis, but needs assistance for meals, laundry		
	<b>Subtotal</b>		
<b>Multiple Amputations</b> (upper bilateral, triple, quadruple amputee)	client lacks the ability to independently get in and out of a wheelchair or to be self-sufficient in an emergency		
	<b>Subtotal</b>		
<b>Financial Affairs</b>	client requires assistance in managing financial affairs (maximum 1 hour per week)		
	<b>Subtotal</b>		
<b>Part 2 Total – Add all Part 2 Subtotals. Fill in total here and in Part 4 on Page 7.</b>			

**Part 3:**  
**Level 3**  
**Attendant Care**

Level 3 attendant care is for complex health/care and hygiene functions. Please assess the care requirements of the client for each activity listed. Estimate the time it takes to perform each activity, and the number of times each week it should be performed. Multiply the number of minutes by the number of times each week the activity should be performed to get the total number of minutes per week for each activity.

Number  
of  
Minutes X Times  
per  
week = Total  
minutes  
per week

**Genitourinary  
Tracts**

performs catheterizations			
positions, empties and cleans drainage systems			
cleans client and equipment after procedure/incontinence			
uses disposable briefs as required			
attends to menstrual cycle needs as required			
monitors residuals			

**Subtotal**

**Bowel  
Care**

administers enemas or suppositories and performs stimulation or disimpaction			
performs colostomy and/or ileostomy care			
positions, empties and cleans drainage systems, including ilio-conduits			
uses disposable briefs as required			
cleans client and equipment after procedure/evacuation			

**Subtotal**

**Tracheostomy  
Care**

changes and cleans inner and outer cannulae as needed			
changes tapes as required			
performs suctioning as required			
cleans and maintains suction equipment			

**Subtotal**

**Ventilator  
Care**

ensures volume rate and pressure are maintained as prescribed			
maintains humidification as specified			
changes and cleans tubing and filters as required			
cleans humidification system as required			
adjusts settings according to client needs (for example, colds, congestion)			

**Subtotal**

**Exercise**

assists client with prescribed exercise/stretching program			
assists client with walking activities using crutches, canes, braces and/or walker			

**Subtotal**



Part 3 continued ...

		Number of Minutes X	Times per week =	Total minutes per week
Skin Care (excluding bathing)	attends to skin care needs – wounds, sores, eruptions, (amputees, severe burns, spinal cord injuries, etc.)			
	applies medication and prescribed dressings			
	applies creams, lotions, pastes, ointments, powders as prescribed or required			
	checks body area(s) for evidence of pressure sores, skin breakdown or eruptions			
	periodic turning to prevent or minimize pressure sores and skin breakdown/shearing			
	Subtotal			
Medication	Oral			
	administers prescribed medications			
	monitors medication intake and effect			
	maintains and controls medication supply			
	Injections			
	administers prescribed medications			
	monitors medication intake and effect			
	maintains and controls medication supply			
	Inhalation/Oxygen Therapy			
	administers prescribed dosage as required			
	maintains and controls Inhalation supplies			
	cleans and maintains equipment			
	Subtotal			
Bathing	Bathtub or Shower			
	transfers client to and from bed, wheelchair or Hoyer lifts to bathtub or shower			
	bathes and dries client			
	applies creams, lotions, pastes, ointments, powders as prescribed or required			
	Bed Bath			
	prepares equipment			
	bathes and dries client			
	applies creams, lotions, pastes, ointments, powders as prescribed or required			
	cleans and maintains bed/bath equipment			
	Oral Hygiene			
	brushes and flosses			
	cleanses mouth as required			
	cleans dentures as required			
	Subtotal			

## Part 3 continued ...

	Number of Minutes X	Times per week	Total minutes per week
<b>Other Therapy</b>			
Transcutaneous Electrical Nerve Stimulation (TENS)			
prepares equipment			
administers treatment as prescribed or required			
Dorsal Column Stimulation (DCS)			
monitors skin			
maintains equipment			
<b>Subtotal</b>			
<b>Maintenance of Supplies and Equipment</b>			
monitors, orders and maintains required supplies/equipment			
ensures wheelchairs, prosthetic devices, Hoyer lifts, shower commodes and other specialized medical equipment and assistive devices are safe and secure			
<b>Subtotal</b>			

**Part 3 Total** - Add all Part 3 Subtotals. Fill in total here and below.

#### Part 4: Calculation of Attendant Care Costs

This part must be completed by the assessor. Calculate the monthly attendant care allowance for Part 1, 2 and 3. The sum of all three parts will be the Total Assessed Monthly Attendant Care Benefit.

	Total Minutes per Week	Total Weekly Hours	Total Monthly Hours	Hourly Rate	Monthly Care Benefit
<b>Part 1</b> (from Pg. 3)	+ 60 =	X 4.3 =	X	\$ 9.00	\$
<b>Part 2</b> (from Pg. 4)	+ 60 =	X 4.3 =	X	\$ 7.00	\$
<b>Part 3</b> (from Pg. 7)	+ 60 =	X 4.3 =	X	\$ 15.00	\$

**Total Assessed Monthly Attendant Care Benefit**  
(This amount is subject to the limits allowed under the Statutory  
Accident Benefits Schedule)

\$

#### Part 5: Signature(s) of Assessor(s)

Name		Signature	
Title	Date		
Name of Assessing Facility		Telephone No.	
Street Address		Fax No.	
City	Province	Postal Code	



**ONTARIO REGULATION 463/96**made under the  
**INSURANCE ACT**

Made: October 9, 1996

Filed: October 10, 1996

Amending O. Reg. 776/93

(Statutory Accident Benefits Schedule—Accidents on or after  
January 1, 1994)

Note: Ontario Regulation 776/93 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. The title to Ontario Regulation 776/93 is revoked and the following substituted:

**STATUTORY ACCIDENT BENEFITS  
SCHEDULE—ACCIDENTS  
AFTER DECEMBER 31, 1993 AND BEFORE  
NOVEMBER 1, 1996**

2. Subsection 88 (1) of the Regulation is revoked and the following substituted:

(1) The benefits set out in this Regulation shall be provided under every contract evidenced by a motor vehicle liability policy in respect of accidents occurring after December 31, 1993 and before November 1, 1996.

3. Section 95 of the Regulation is revoked and the following substituted:

95. This Regulation may be cited as the *Statutory Accident Benefits Schedule—Accidents after December 31, 1993 and before November 1, 1996*.

4. This Regulation comes into force on November 1, 1996.

43/96

**ONTARIO REGULATION 464/96**made under the  
**INSURANCE ACT**

Made: October 9, 1996

Filed: October 10, 1996

Amending Reg. 664 of R.R.O. 1990  
(Automobile Insurance)

Note: Since January 1, 1996, Regulation 664 has been amended by Ontario Regulation 399/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. The heading immediately preceding section 1 of Regulation 664 of the Revised Regulations of Ontario, 1990 is struck out and the following substituted:

**DEFINITIONS**

2. Paragraph 2 of subsection 3 (2) of the Regulation is revoked and the following substituted:

**RÈGLEMENT DE L'ONTARIO 463/96**pris en application de la  
**LOI SUR LES ASSURANCES**

pris le 9 octobre 1996

déposé le 10 octobre 1996

modifiant le Règl. de l'Ont. 776/93

(Annexe sur les indemnités d'accident légales — accidents survenus  
depuis le 1<sup>er</sup> janvier 1994)

Remarque : Le Règlement de l'Ontario 776/93 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. Le titre du Règlement de l'Ontario 776/93 est abrogé et remplacé par le titre suivant :

**ANNEXE SUR LES INDEMNITÉS D'ACCIDENT  
LÉGALES — ACCIDENTS SURVENUS APRÈS LE  
31 DÉCEMBRE 1993 MAIS AVANT LE  
1<sup>ER</sup> NOVEMBRE 1996**

2. Le paragraphe 88 (1) du Règlement est abrogé et remplacé par ce qui suit :

(1) Les indemnités ou prestations énoncées au présent règlement sont prévues par tout contrat constaté par une police de responsabilité automobile à l'égard des accidents qui surviennent après le 31 décembre 1993 mais avant le 1<sup>er</sup> novembre 1996.

3. L'article 95 du Règlement est abrogé et remplacé par ce qui suit :

95. Le présent règlement peut être cité sous le nom de *Annexe sur les indemnités d'accident légales — accidents survenus après le 31 décembre 1993 mais avant le 1<sup>er</sup> novembre 1996*.

4. Le présent règlement entre en vigueur le 1<sup>er</sup> novembre 1996.

2. The contract is written on Ontario Automobile Policy 1 or Ontario Policy Form 2.

3. Section 5.1 of the Regulation is revoked.

4. Section 12 of the Regulation is amended by adding the following subsection:

(2) An arbitrator may award expenses to an insurer or insured person under subsection 282 (11) of the Act if the arbitrator is satisfied that the award is justified, having regard to the following criteria:

1. Each party's degree of success in the outcome of the proceeding.

2. Conduct of the insurer or the insured person that tended to shorten or facilitate the proceeding or that tended to prolong, obstruct or hinder the proceeding, including failure to comply with undertakings or orders.

3. Whether the proceeding or any position taken by the insurer or the insured person during the proceeding was manifestly unfounded, frivolous, vexatious, fraudulent or an abuse of process.

4. The degree of complexity, novelty or significance of the factual or legal issues raised in the proceeding.



5. If the insurer or the insured person requests, any written offers to settle made after the conclusion of mediation and before the conclusion of the arbitration in accordance with the rules of practice and procedure applicable to the proceeding, including the terms of the offers, the timing of the offers and the responses to the offers, having regard to the result of the proceeding.

6. Any other matter related to the proceeding that the arbitrator considers relevant to the issue of whether an award of expenses is justified.

**5. (1) The heading immediately preceding section 15 of the Regulation is struck out and the following substituted:**

**APPLICATION OF SECTIONS 410 TO 417 OF THE ACT**

**(2) Subsections 15 (1) and (2) of the Regulation are revoked and the following substituted:**

(1) Sections 410 to 417 of the Act apply in respect of contracts of automobile insurance written on Ontario Automobile Policy 1 or Ontario Policy Form 2.

(2) Sections 410 to 417 of the Act apply in respect of all types of endorsements to contracts of automobile insurance written on Ontario Automobile Policy 1 or Ontario Policy Form 2.

**(3) Subsection 15 (3) of the Regulation is amended by striking out "sections 412 to 417" in the first line and substituting "sections 410 to 417".**

**6. The Regulation is amended by adding the following section:**

**EXPEDITED RISK CLASSIFICATION AND RATE APPROVAL**  
(Section 411 of the Act)

**15.1 (1)** The percentage prescribed for the purpose of paragraph 1 of subsection 411 (1) of the Act is, for each coverage and category of automobile insurance, the percentage difference between the average of the insurer's existing rates for that coverage and category and the average of the insurer's proposed rates.

(2) For the purpose of paragraph 1 of subsection 411 (1) of the Act, the proposed rates must meet the following additional criteria:

1. The proposed rates relate only to the Personal Vehicles—Private Passenger Automobiles category of automobile insurance.
2. The effective date of the proposed rates for the insurer's renewal business is on or after January 1, 1997.
3. The average cumulative rate change for all coverages, calculated in accordance with the Section 411/412 Filing Guidelines published by the Ontario Insurance Commission, as they may be amended from time to time, is less than or equal to zero.
4. The percentage difference, for each territory used by the insurer, between the average of the existing rates for each coverage and the average of the proposed rates for that coverage is not more than 5 per cent higher or lower than the percentage difference, for all of Ontario, between the average of the existing rates for that coverage and the average of the proposed rates for that coverage.
5. No changes are proposed to the rating algorithm, differentials, discounts or surcharges used to determine the proposed rates.

(3) For the purpose of paragraph 2 of subsection 411 (1) of the Act, the proposed risk classification system may not contain,

(a) any new element; or

(b) any existing element that uses a different definition or different rating rules.

**7. (1) The heading immediately preceding section 16 of the Regulation is struck out and the following substituted:**

**PROHIBITED RISK CLASSIFICATION ELEMENTS**  
(Sections 410 to 417 of the Act)

**(2) Section 16 of the Regulation is amended by adding the following subsection:**

(4.1) No element of a risk classification system shall use a lapse in automobile insurance coverage unless,

(a) the insured person contravened section 2 of the *Compulsory Automobile Insurance Act* during the lapse in coverage; or

(b) the lapse of coverage resulted directly or indirectly from,

- (i) the termination of a policy of automobile insurance as a result of the insured person's failure to pay the premiums due under the policy,
- (ii) the suspension of the insured person's driver's licence as a result of a conviction for an offence related to the use or operation of an automobile, or
- (iii) an accident or a conviction for an offence related to the use or operation of an automobile, if the insured person did not inform the insurer of the accident or conviction and the accident or conviction would likely have led to the insured person being charged a higher premium.

**8. (1) Sections 1, 2 and 3 of the Schedule to the Regulation are revoked and the following substituted:**

1. The filing fees paid by the insured person when applying for arbitration may be awarded to the insured person.

2. The filing fees paid by the insured person or the insurer when appealing the order of an arbitrator or applying to vary or revoke an order may be awarded.

3. (1) The legal fees payable by the insured person or the insurer for the following matters may be awarded:

1. For all services performed before an arbitration, appeal, variation or revocation hearing.
2. For the preparation for an arbitration, appeal, variation or revocation hearing.
3. For attendance at an arbitration, appeal, variation or revocation hearing.
4. For services subsequent to an arbitration, appeal, variation or revocation hearing.

(2) The number of hours for which legal fees may be awarded shall be determined by the arbitrator, having regard to the criteria set out in subsection 12 (2) of this Regulation.

(3) The maximum amount that may be awarded for legal fees is the amount calculated using the hourly rates set out in the *Dispute Resolution Practice Code* published by the Ontario Insurance Commission, as it may be amended from time to time.

3.1 (1) The agent's fees payable by the insured person or the insurer for the following matters may be awarded:



1. For the preparation for an arbitration, appeal, variation or revocation hearing.
2. For attendance at an arbitration, appeal, variation or revocation hearing.
3. For services subsequent to an arbitration, appeal, variation or revocation hearing.

(2) The maximum amount that may be awarded for agent's fees is the amount calculated using the hourly rates set out in the Dispute Resolution Practice Code published by the Ontario Insurance Commission, as it may be amended from time to time.

(2) Section 4 of the Schedule to the Regulation is amended by inserting "or the insurer" after "insured person" in the second line.

(3) Paragraphs 3 and 4 of section 4 of the Schedule to the Regulation are revoked and the following substituted:

3. For the delivery, by mail or courier, of items relating to the arbitration, appeal, variation or revocation hearing.
4. For other out-of-pocket expenses incurred in furtherance of the arbitration, appeal, variation or revocation hearing.
5. Any applicable taxes paid in respect of the expenses referred to in this section.

(4) Subsection 5 (1) of the Schedule to the Regulation is amended by inserting "or the insurer" after "insured person" in the second line.

(5) Subsection 5 (4) of the Schedule to the Regulation is revoked and the following substituted:

(4) The amount of the expenses paid by or on behalf of the insured person or the insurer to an expert witness for preparation for a hearing at which the witness testifies may be awarded, to a maximum of \$500.

(5) The amount of the expenses paid by or on behalf of the insured person or the insurer to an expert for the preparation of a report may be awarded, to a maximum of \$1,500.

(6) Subsection 6 (1) of the Schedule to the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(1) The amount of the following expenses paid by or on behalf of the insured person, the insured person's lawyer or agent, the insured person's attendant, if one is required, or the insurer's lawyer or agent may be awarded:

. . . . .

9. This Regulation comes into force on November 1, 1996.

43/96





# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—11—02

## ONTARIO REGULATION 465/96 made under the ONTARIO PLANNING AND DEVELOPMENT ACT

Made: October 10, 1996  
Filed: October 17, 1996

Amending O. Reg. 486/73  
(County of Wentworth (now The Regional Municipality of  
Hamilton-Wentworth), Town of Dundas)

**Note:** Since January 1, 1996, Ontario Regulation 486/73 has been amended by Ontario Regulation 157/96. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1995.

**1. Ontario Regulation 486/73 is amended by adding the following section:**

**43. (1)** Despite section 4, a single dwelling together with accessory buildings and structures may be erected, located and used on the lands described in subsection (2) if the following requirements are met:

Minimum Front Yard	6 metres
Minimum Rear Yard	25 metres
Maximum Height	10.5 metres

(2) Subsection (1) applies to the land in the Town of Dundas, in the Regional Municipality of Hamilton-Wentworth, being that portion of Lot 7 on Plan 1068 lying south of parts 2 and 5 on Plan 62R-13386, lots 8 and 9 on Plan 1068, save and except parts 3 and 4 on Plan 62R-13386, said plan being deposited in the Land Registry Office for the Registry Division of Wentworth (No. 62), lots 10, 11 and 12 on Plan 1068 and the southerly 50 feet of Lot 13 on Plan 1068 being registered in the Land Registry Office for the Registry Division of Wentworth (No. 62).

MEREDITH BERESFORD  
*Director*  
*Provincial Planning Services Branch*  
*Ministry of Municipal Affairs and Housing*

Dated at Toronto on October 10, 1996.

44/96

## ONTARIO REGULATION 466/96 made under the HIGHWAY TRAFFIC ACT

Made: October 15, 1996  
Filed: October 17, 1996

Amending Reg. 619 of R.R.O. 1990  
(Speed Limits)

**Note:** Since January 1, 1996, Regulation 619 has been amended by Ontario Regulations 29/96, 30/96, 148/96, 325/96, 328/96, 396/96 and 424/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. (1) Paragraph 25 of Part 3 of Schedule 5 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

25. That part of the King's Highway known as No. 6 in the Town of Flamborough in the Regional Municipality of Hamilton-Wentworth—  
Town of Flamborough  
Wellington—  
Twp. of Puslinch  
King's Highway known as No. 5 and a point situate 330 metres measured northerly from its intersection with the northerly limit of the King's Highway known as No. 5 and a point situate 330 metres measured northerly from its intersection with the centre line of roadway known as the Hamilton-Wentworth/Wellington County Line (Maddaugh Road) in the Township of Puslinch in the County of Wellington.

**(2) Part 3 of Schedule 5 to the Regulation is amended by adding the following paragraph:**

26. That part of the King's Highway known as No. 6 in the Township of Puslinch in the County of Wellington lying between a point situate 1385 metres measured northerly from its intersection with the centre line of the roadway known as the Hamilton-Wentworth/Wellington County Line (Maddaugh Road) and a point situate 550 metres measured southerly from its intersection with centre line of the roadway known as Wellington County Road No. 36.

**(3) Part 5 of Schedule 5 to the Regulation is amended by adding the following paragraph:**

14. That part of the King's Highway known as No. 6 in the Hamlet of Puslinch in the Township of Puslinch in the County of Wellington beginning at a point situate 330 metres north of the Hamilton-Wentworth/Wellington County Line (Maddaugh Road) and extending northerly for a distance of 1055 metres.

**2. (1) Paragraph 2 of Part 3 of Schedule 24 to the Regulation is revoked.**

**(2) Paragraph 2 of Part 4 of Schedule 24 to the Regulation is revoked and the following substituted:**

2. That part of the King's Highway known as No. 18 in the Town of LaSalle in the County of Essex lying between a point situate 100 metres measured southerly from its intersection with the centre line of the roadway known as Martin Lane and a point situate 535 metres measured southerly from its intersection with centre line of the roadway known as Mack Street in the Township of Anderdon.

**3. Part 4 of Schedule 67 is amended by adding the following paragraph:**

Nipissing—  
Twp. of Phelps

1. That part of the King's Highway known as No. 63 in the Township of Phelps in the Territorial District of Nipissing lying between a point situate 1525 metres measured southerly from its intersection with the centre line of the roadway known as Mountain View Road and a point situate 190 metres measured northerly from its intersection with the centre line of the roadway known as Mountain View Road.

4. Part 5 of Schedule 156 is amended by adding the following paragraph:

Manitoulin—  
Twp. of Billings

2. That part of the King's Highway known as No. 551 in the West Bay Indian Reserve No. 22 in the Township of Billings in the Territorial District of Manitoulin beginning at a point situate 630 metres measured southerly from its intersection with the centre line of the roadway known as Lakeview Drive and extending northerly a distance of 950 metres.

5. The Regulation is amended by adding the following schedule:

#### Schedule 264

#### HIGHWAY NO. 407

##### PART 1

York—  
Town of Markham

1. That part of the King's Highway known as No. 407 lying between a point at its intersection with the King's Highway known as No. 403 and a point at its intersection with the roadway known as Markham Road (York Regional Road No. 68) in the Town of Markham.

##### PART 2

(Reserved)

##### PART 3

(Reserved)

##### PART 4

(Reserved)

##### PART 5

(Reserved)

##### PART 6

(Reserved)

AL PALLADINI  
Minister of Transportation

Dated at Toronto on October 15, 1996.

44/96

#### ONTARIO REGULATION 467/96 made under the HIGHWAY TRAFFIC ACT

Made: October 9, 1996  
Filed: October 17, 1996

Amending Reg. 627 of R.R.O. 1990  
(Use of Controlled-Access Highways by Pedestrians)

Note: Regulation 627 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Regulation 627 of the Revised Regulations of Ontario, 1990 is amended by adding the following Schedules:

#### Schedule 28

1. All of the King's Highway known as No. 416.

#### Schedule 29

1. That part of the King's Highway known as No. 407 lying between a point at its intersection with the King's Highway known as No. 403 and a point at its intersection of the roadway known as Markham Road (York Regional Road No. 68) in the Town of Markham.

AL PALLADINI  
Minister of Transportation

Dated at Toronto on October 9, 1996.

44/96

#### ONTARIO REGULATION 468/96 made under the HIGHWAY TRAFFIC ACT

Made: October 9, 1996  
Filed: October 17, 1996

Amending Reg. 630 of R.R.O. 1990  
(Vehicles on Controlled-Access Highways)

Note: Regulation 630 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Regulation 630 of the Revised Regulations of Ontario, 1990 is amended by adding the following Schedule:

#### Schedule 26

1. All of the King's Highway known as No. 416.

AL PALLADINI  
Minister of Transportation

Dated at Toronto on October 9, 1996.

44/96



**ONTARIO REGULATION 469/96**  
made under the  
**NIAGARA ESCARPMENT PLANNING AND  
DEVELOPMENT ACT**

Made: October 10, 1996  
Filed: October 17, 1996

Amending Reg. 828 of R.R.O. 1990  
(Development within the Development Control Area)

Note: Since January 1, 1996, Regulation 828 has been amended by Ontario Regulation 33/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 5 of Regulation 828 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

19. The production of aggregate from land that was licensed for a pit or quarry on June 10, 1975 under the *Pits and Quarries Control Act, 1971* and that has been licensed for a pit or quarry continuously since that date under the *Aggregate Resources Act* or a predecessor of the *Aggregate Resources Act*, including the removal and stockpiling of overburden, the construction of berms and the blasting, excavation, crushing, washing, stockpiling and hauling of aggregate from the licensed site, but not including,

- i. dewatering, the taking of water or the discharge of water or sewage, unless the dewatering, taking or discharge was authorized under a permit or approval obtained under the *Ontario Water Resources Act* before Ontario Regulation 469/96 came into force,
- ii. the construction of a building, structure or facility, other than a berm,
- iii. any activity related to the production of aggregate that was excavated elsewhere, or
- iv. any activity related to an asphalt or concrete batch plant or a brick or cement block manufacturing plant.

NORMAN STERLING  
*Minister of Environment and Energy*

Dated at Toronto on October 10, 1996.

44/96

**ONTARIO REGULATION 470/96**  
made under the  
**MINISTRY OF TOURISM AND RECREATION ACT**

Made: October 16, 1996  
Filed: October 17, 1996

Amending Reg. 796 of R.R.O. 1990  
(Grants for Non-Profit Camps)

Note: Regulation 796 has not previously been amended.

1. Regulation 796 of the Revised Regulations of Ontario, 1990 is revoked.

44/96

**ONTARIO REGULATION 471/96**  
made under the  
**GAME AND FISH ACT**

Made: October 16, 1996  
Filed: October 17, 1996

Amending Reg. 484 of R.R.O. 1990  
(Crown Game Preserves)

Note: Regulation 484 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Schedule 5 of Appendix B to Regulation 484 of the Revised Regulations of Ontario, 1990 is amended by adding at the end "and for that part of the Township of North Himsforth, being composed of Lot 8, Concession XIX, Part Lots 3 and 4, Concession XXIII, Lots 1 and 2, Concession XXIII, and Part Lot 6, Concession XXI, in that township."

44/96

**ONTARIO REGULATION 472/96**  
made under the  
**GAME AND FISH ACT**

Made: October 16, 1996  
Filed: October 17, 1996

Amending Reg. 512 of R.R.O. 1990  
(Moose and Deer)

Note: Regulation 512 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Column 2 of Item 7 of Schedule 1 to Regulation 512 of the Revised Regulations of Ontario, 1990 is repealed and the following substituted:

From the Saturday closest to September 17 to the third Friday following, inclusive, in any year.

44/96

**ONTARIO REGULATION 473/96**  
made under the  
**PLANNING ACT**

Made: October 16, 1996  
Filed: October 18, 1996

Amending O. Reg. 834/81  
(District of Sudbury—Territorial District of Sudbury)

Note: Since January 1, 1996, Ontario Regulation 834/81 has been amended by Ontario Regulations 4/96, 174/96, 322/96 and 419/96. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1995.

1. Schedule 1 to Ontario Regulation 834/81 is amended by adding the following section:

152. (1) Despite subsection 4 (1), the land described in subsection (3) shall be deemed to be land in a Resort Commercial Zone.

(2) Despite section 8 and subsection 35 (1), the following buildings and structures are permitted on the land described in subsection (3):

1. Eight summer camps
2. One recreational hall
3. One sauna
4. One generator room
5. Two wood sheds
6. One eight-unit row garage

(3) Subsections (1) and (2) apply to those lands in the geographic Township of Ulster in the District of Sudbury, being Parcel 23659 Sudbury West Section, designated as Part 1 on Plan 53R-3855 and Part 1 on Plan 53R-15441, deposited in the Land Registry Office for the Land Titles Division of Sudbury (No. 53), and Summer Resort Location AE-89, being Parcel 9673 Sudbury West Section.

KAREN SMITH  
Manager

*Provincial Planning Services Branch  
Ministry of Municipal Affairs and Housing*

Dated at Toronto on October 16, 1996.

44/96

#### ONTARIO REGULATION 474/96 made under the PLANNING ACT

Made: October 17, 1996  
Filed: October 18, 1996

Amending O. Reg. 834/81  
(District of Sudbury—Territorial District of Sudbury)

Note: Since January 1, 1996, Ontario Regulation 834/81 has been amended by Ontario Regulations 4/96, 174/96, 322/96, 419/96 and 473/96. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1995.

1. Schedule 1 to Ontario Regulation 834/81 is amended by adding the following section:

151. (1) Despite subsection 4 (2) of this Order, the land described in subsection (4) shall be deemed to be land in a Resort Commercial Zone.

(2) Despite section 8 and subsection 35 (1), the following buildings, structures and accessory uses are permitted on the lands described in subsection (4):

1. One lodge
2. One conference centre
3. Five housekeeping cabins
4. One guest cabin to include an office
5. One laundry building

6. One sauna

7. One gazebo

8. One workshop

9. Twelve seasonal dwellings

10. One boathouse

(3) Despite clause 17 (b), no person shall erect any habitable building or structure closer than 30 metres from the high-water mark of the lake.

(4) Subsections (1), (2) and (3) apply to those lands in the geographic Township of Curtin in the District of Sudbury, being part of Lot 30 on Plan 45S, designated as parts 1 and 2 on Plan 53R-9550, deposited in the Land Registry Office for the Land Titles Division of Sudbury (No. 53).

KAREN SMITH  
Manager

*Provincial Planning Services Branch  
Ministry of Municipal Affairs and Housing*

Dated at Toronto on October 17, 1996.

44/96

#### ONTARIO REGULATION 475/96 made under the ENVIRONMENTAL ASSESSMENT ACT

Made: October 9, 1996  
Filed: October 18, 1996

#### EXEMPTION ORDER—DISTRICT HEATING AND COOLING, WINDSOR—OH-35

Having received a request from Ontario Hydro that an undertaking, namely:

The activity of constructing, owning, operating, maintaining, altering and retiring facilities and works to be located at the Windsor Casino for the production, supply, and delivery of heat energy, chilled water and related services, to any person, corporation or commission in the City of Windsor, Ontario be exempt from the application of the Act pursuant to section 29; and

Having been advised by Ontario Hydro that if the undertaking is subject to the application of the Act, the following injury, damage or interference with the persons and property indicated will occur:

- A. Ontario Hydro would incur additional expense and time delays if it is required to prepare an environmental assessment for the proposed project. The time delay may impact sufficiently on the project schedule that the project is unable to take advantage of Ontario Hydro's expertise and Ontario Hydro is unable to participate in the project, thereby losing potential revenue.
- B. Any delay in the implementation of the project will result in a delay in social and economic opportunities and benefits, including decreased heating and cooling costs, increased employment opportunities, and reduced regional air emissions, for the community.

Having weighed such injury, damage, or interference against the betterment of the people of the whole or any part of Ontario by the



protection, conservation and wise management in Ontario of the environment which would result from the undertaking being subject to the application of the Act;

The undersigned is of the opinion that it is in the public interest to order and orders that the undertaking is exempt from the application of the Act for the following reasons:

- A. The undertaking is unlikely to have any significant adverse effects on the environment.
- B. Atmospheric emissions from the undertaking will be appropriately regulated under the Environmental Protection Act.

This exemption is subject to the following terms and conditions:

1. Where any activity which otherwise would be exempt under this order, is being carried out as or is part of, an undertaking for which an environmental assessment has been accepted and approval to proceed received, the activity shall be carried out in

accordance with any terms or conditions in the approval to proceed as well as the conditions of this order.

2. Where any activity which is the subject of this order, is being carried out as or is part of, another undertaking which is the subject of an exemption order under the Act, the activity exempt under this order shall be carried out in accordance with any terms or conditions in the other exemption order as well as the conditions in this order.
3. This exemption covers the activity of constructing, owning, operating, maintaining, altering and retiring facilities and works connected to the facilities and works at the Windsor Casino hereby exempted, and carried out for the purpose of delivering heat energy and chilled water from the Windsor Casino to any person, corporation or commission in the City of Windsor.

NORMAN STERLING  
*Minister of Environment and Energy*

44/96





# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—11—09

## ONTARIO REGULATION 476/96 made under the HIGHWAY TRAFFIC ACT

Made: October 7, 1996  
Filed: October 21, 1996

Amending Reg. 604 of R.R.O. 1990  
(Parking)

Note: Since January 1, 1996, Regulation 604 has been amended by Ontario Regulations 71/96, 329/96, 370/96 and 411/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Schedule 6 of Appendix A to Regulation 604 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

32. That part of the King's Highway known as No. 11 and 17 in the Township of Shuniah, in the Territorial District of Thunder Bay, beginning at a point situate 650 metres measured westerly from its intersection with the roadway known as Crystal Beach Road and extending westerly for a distance of 300 metres.

(2) Schedule 13 of Appendix A to the Regulation is amended by adding the following paragraph:

28. That part of the King's Highway known as No. 11 and 17 in the Township of Shuniah, in the Territorial District of Thunder Bay, beginning at a point situate 650 metres measured westerly from its intersection with the roadway known as Crystal Beach Road and extending westerly for a distance of 300 metres.

2. Appendix C to the Regulation is amended by adding the following Schedule:

### Schedule 17

#### HIGHWAY No. 407

1. That part of the King's Highway known as No. 407 lying between a point at its intersection with the King's Highway known as No. 403 and a point at its intersection with the roadway known as Markham Road (York Regional Road No. 68) in the Town of Markham.

AL PALLADINI  
Minister of Transportation

Dated at Toronto on October 7, 1996.

## ONTARIO REGULATION 477/96 made under the HIGHWAY TRAFFIC ACT

Made: October 7, 1996  
Filed: October 21, 1996

Amending Reg. 619 of R.R.O. 1990  
(Speed Limits)

Note: Since January 1, 1996, Regulation 619 has been amended by Ontario Regulations 29/96, 30/96, 148/96, 325/96, 328/96, 396/96, 424/96 and 466/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Paragraphs 20 and 21 of Part 3 of Schedule 5 to Regulation 619 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

20. That part of the King's Highway known as No. 6 in the Town of Espanola in the Territorial District of Sudbury lying between a point situate at its intersection with the southerly limit of the Town of Espanola and a point situate 60 metres measured southerly from its intersection with the centre line of the roadway known as McCulloch Drive.

21. That part of the King's Highway known as No. 6 in the Town of Espanola in the Territorial District of Sudbury lying between a point situate 100 metres measured northerly from its intersection with the centre line of the roadway known as Old Webbwood Road and a point situate at its intersection with the northerly limit of the Town of Espanola.

(2) Paragraph 7 of Part 5 of Schedule 5 to the Regulation is revoked.

(3) Paragraph 8 of Part 5 of Schedule 5 to the Regulation is revoked and the following substituted:

8. That part of the King's Highway known as No. 6 in the Town of Espanola in the Territorial District of Sudbury lying between a point situate 300 metres measured southerly from its intersection with the centre line of the roadway known as Old Webbwood Road and extending northerly for a distance of 400 metres.

(4) Part 6 of Schedule 5 to the Regulation is amended by adding the following paragraph:

7. That part of the King's Highway known as No. 6 in the Town of Espanola in the Territorial District of Sudbury lying between a point situate 60 metres measured southerly from its intersection with the centre line of the roadway known as McCulloch Drive and a point situate 150 metres measured southerly from its intersection with the centre line of the roadway known as West Bay Penage Road.

2. Part 4 of Schedule 48 to the Regulation is amended by adding the following paragraph:

Leeds and  
Grenville—

Twp. of Woford

5. That part of the King's Highway known as No. 43 in the Township of Woford in the County of Leeds and Grenville beginning at a point situate 300 metres measured easterly from its intersection with the centre line of the roadway known as the West Junction of Leeds and Grenville Road #23 to a point situate 400 metres measured westerly from its intersection with the centre line of the roadway known as the West Junction of Leeds and Grenville Road #23.

3. (1) Paragraph 1 of Part 3 of Schedule 61 to the Regulation is revoked and the following substituted:

Regional  
Municipality of  
Hamilton-  
Wentworth—

Twp. of  
Glanbrook

Regional  
Municipality of  
Haldimand-  
Norfolk—

Town of Haldimand

1. That part of the King's Highway known as No. 56 lying between a point situate 675 metres measured southerly from its intersection with the southerly limit of the roadway known as Hamilton-Wentworth Regional Road No. 622 in the Township of Glanbrook in the Regional Municipality of Hamilton-Wentworth and a point situate at its intersection with the northerly limit of the King's Highway known as No. 3 in the Town of Haldimand in the Regional Municipality of Haldimand-Norfolk.

(2) Paragraph 1 of Part 5 of Schedule 61 to the Regulation is revoked and the following substituted:

Regional  
Municipality of  
Hamilton-  
Wentworth—

Twp. of Glanbrook

1. That part of the King's Highway known as No. 56 in the Township of Glanbrook in the Regional Municipality of Hamilton-Wentworth lying between a point situate 700 metres measured northerly from its intersection with the southerly limit of the roadway known as Hamilton-Wentworth Regional Road No. 622 and a point situate 675 metres measured southerly from the said intersection.

4. (1) Paragraph 2 of Part 1 of Schedule 124 to the Regulation is revoked and the following substituted:

Essex—  
City of Windsor

2. That part of the King's Highway known as No. 401 (north leg) in the County of Essex in the City of Windsor lying between a point situate at its intersection with the King's Highway 401 and a point situate 460 metres measured easterly from its intersection with the centre line of the Howard Avenue structure.

(2) Part 3 of Schedule 124 to the Regulation is amended by adding the following paragraph:

Essex—  
City of Windsor

1. That part of the King's Highway known as No. 401 (north leg) in the County of Essex in the City of Windsor lying between a point situate 40 metres measured westerly from its intersection with the centre line of the Howard Avenue structure and extending easterly for a distance of 500 metres.

(3) Part 5 of Schedule 124 to the Regulation is amended by adding the following paragraph:

Essex—  
City of Windsor

1. That part of the King's Highway known as No. 401 (north leg) in the County of Essex in the City of Windsor lying between a point situate 40 metres measured westerly from its intersection with the centre line of the Howard Avenue structure and extending westerly for a distance of 520 metres.

AL PALLADINI  
Minister of Transportation

Dated at Toronto on October 7, 1996.

45/96

# ONTARIO REGULATION 478/96 made under the CROP INSURANCE ACT (ONTARIO)

Made: September 17, 1996  
Approved: October 22, 1996  
Filed: October 23, 1996

Amending Reg. 217 of R.R.O. 1990  
(Crop Insurance Plan—Asparagus)

Note: Regulation 217 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1996.

1. (1) Section 10 of the Schedule to Regulation 217 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

10. For the purposes of this plan, the established price for asparagus in a crop year is 67 per cent of the price for grade 1, 7-inch asparagus negotiated for the crop year by The Ontario Asparagus Growers' Marketing Board.

(2) Subsection 12 (1) of the Schedule to the Regulation is revoked and the following substituted:

(1) The total premium per acre is the amount shown in Column 1 of the Table that is opposite the percentage selected shown in Column 2.

TABLE

Premium Amount	Percentage Selected
\$ 62	70 per cent
83	75 per cent
106	80 per cent
139	85 per cent

THE CROP INSURANCE COMMISSION OF ONTARIO:

W. JONGEJAN  
Chair

MATT TULLOCH  
Secretary

Dated at Toronto on September 17, 1996.

45/96



**ONTARIO REGULATION 479/96**  
made under the  
**FARM PRODUCTS MARKETING ACT**

Made: October 15, 1996  
Approved: October 22, 1996  
Filed: October 23, 1996

Amending Reg. 441 of R.R.O. 1990  
(Vegetables for Processing—Plan)

Note: Regulation 441 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 10 of the Schedule to Regulation 441 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

10. On or before December 31 in each year, the members of each district shall elect from among themselves one member to the District Vegetable Growers' Committee for each 20 producers or fraction of 20 producers.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

JAMES WHEELER  
*Chair*

GLORIA MARCO BORYS  
*Secretary*

Dated at Guelph on October 15, 1996.

45/96

**ONTARIO REGULATION 480/96**  
made under the  
**FARM REGISTRATION AND FARM ORGANIZATIONS  
FUNDING ACT, 1993**

Made: October 23, 1996  
Filed: October 24, 1996

Amending O. Reg. 723/93  
(General)

Note: Ontario Regulation 723/93 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 4 of Ontario Regulation 723/93 is revoked and the following substituted:

4. The accreditation of the Christian Farmers Federation of Ontario and of the Ontario Federation of Agriculture is in effect for the three year period starting on November 8, 1996.

2. Section 7 of the Regulation is revoked and the following substituted:

7. Union des cultivateurs franco-ontariens is eligible for special funding for three years starting on November 8, 1996.

3. This Regulation comes into force on November 8, 1996.

**RÈGLEMENT DE L'ONTARIO 480/96**  
pris en application de la  
**LOI DE 1993 SUR L'INSCRIPTION DES  
ENTREPRISES AGRICOLES ET LE FINANCEMENT  
DES ORGANISMES AGRICOLES**

pris le 23 octobre 1996  
déposé le 24 octobre 1996

modifiant le Règl. de l'Ont. 723/93  
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 723/93 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. L'article 4 du Règlement de l'Ontario 723/93 est abrogé et remplacé par ce qui suit :

4. L'agrément de la Fédération des agriculteurs chrétiens de l'Ontario et de la Fédération de l'agriculture de l'Ontario est valable pendant trois ans à partir du 8 novembre 1996.

2. L'article 7 du Règlement est abrogé et remplacé par ce qui suit :

7. L'Union des cultivateurs franco-ontariens est admissible à une aide financière spéciale pour une période de trois ans à partir du 8 novembre 1996.

3. Le présent règlement entre en vigueur le 8 novembre 1996.

45/96

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# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—11—16

## ONTARIO REGULATION 481/96

made under the  
**PLANNING ACT**

Made: October 22, 1996

Filed: October 28, 1996

Amending O. Reg. 279/80

(Restricted Areas—District of Algoma, Sault Ste. Marie  
North Planning Area)

Note: Ontario Regulation 279/80 has not been amended in 1996. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1995.

1. Ontario Regulation 279/80 is amended by adding the following section:

138. (1) Despite section 4, the land described in subsection (3) is, for the purposes of this Order, land in a Resort Commercial Zone.

(2) Despite paragraph 4 of subsection 40 (1), the minimum front yard for the lands described in subsection (3) is 14 metres.

(3) Subsections (1) and (2) apply to that parcel of land in the geographic Township of Deroche in the Territorial District of Algoma, being part of Lot 3 in Concession III, part of Lot 3 in Concession IV and part of Lot 2 in Concession IV, designated as parts 2 and 6 on Reference Plan 1R-9130, deposited in the Land Registry Office for the Land Titles Division of Algoma (No. 1).

KAREN SMITH  
Manager

Provincial Planning Services Branch  
Ministry of Municipal Affairs and Housing

46/96

Dated at Toronto on October 22, 1996.

46/96

## ONTARIO REGULATION 482/96

made under the  
**LIQUOR LICENCE ACT**

Made: October 23, 1996

Filed: October 28, 1996

Amending Reg. 719 of R.R.O. 1990

(Licences to Sell Liquor)

Note: Since January 1, 1996, Regulation 719 has been amended by Ontario Regulations 155/96, 163/96, 231/96 and 392/96. For previous amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Regulation 719 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:

11.1 (1) Premises located at The Coliseum, Exhibition Place, Toronto are exempt from section 11 with respect to the event known as The Royal Agricultural Winter Fair on condition that the sale and service of liquor is conducted under a caterer's endorsement.

(2) Subsections 78 (1) and (2), 79 (1), (3) and (4) and 80.1 (1) and sections 81 to 86 inclusive apply to the sale and service of liquor to patrons in the tiered seats of The Coliseum during The Royal Agricultural Winter Fair as if The Coliseum were a stadium.

2. Section 59 of the Regulation is amended by striking out "66" in the last line and substituting "66.1".

3. The Regulation is amended by adding the following section:

66.1 Premises must not be used for the sale and service of liquor under a caterer's endorsement to a liquor sales licence if,

(a) an application for a licence in respect of the premises has been refused because issuing the licence would not have been in the public interest;

(b) a licence in respect of the premises has been revoked or is under suspension; or

(c) the premises has been disqualified under section 20 of the Act.

## ONTARIO REGULATION 483/96

made under the  
**LIQUOR LICENCE ACT**

Made: October 23, 1996

Filed: October 28, 1996

Amending O. Reg. 389/91

(Special Occasion Permits)

Note: Since January 1, 1996, Ontario Regulation 389/91 has been amended by Ontario Regulation 394/96. For previous amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Clause 12.1 (b) of Ontario Regulation 389/91 is revoked and the following substituted:

(b) a licence in respect of the premises has been revoked or is under suspension.

46/96

**ONTARIO REGULATION 484/96**  
made under the  
**HIGHWAY TRAFFIC ACT**

Made: September 25, 1996  
Filed: October 28, 1996

Amending O. Reg. 340/94  
(Drivers' Licences)

Note: Since January 1, 1996, Ontario Regulation 340/94 has been amended by Ontario Regulation 306/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Clause 16 (a) of Ontario Regulation 340/94 is revoked and the following substituted:

- (a) any holder of a class G or M driver's licence who has reached the age of 80 complete successfully, once every two years, the

applicable examination prescribed in section 15 and meet the qualifications prescribed in sections 14, 17 and 18, where applicable;

2. The Regulation is amended by adding the following section:

23.1 A driver's licence, other than a class G1, G2, M1 or M2 driver's licence, may be renewed for a specified period of not less than 12 months and not more than 84 months after the expiry date shown on the licence.

3. Subsection 26 (5) of the Regulation is amended by inserting "not" after "does" in the first line.

46/96

**ONTARIO REGULATION 485/96**  
made under the  
**PROVINCIAL OFFENCES ACT**

Made: September 11, 1996  
Filed: October 28, 1996

Amending Reg. 950 of R.R.O. 1990  
(Proceedings Commenced by Certificate of Offence)

Note: Regulation 950 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Item 307.1 of Schedule 43 to Regulation 950 of the Revised Regulations of Ontario, 1990 is revoked.

(2) Schedule 43 to the Regulation is amended by adding the following items:

**RÈGLEMENT DE L'ONTARIO 485/96**  
pris en application de la  
**LOI SUR LES INFRACTIONS PROVINCIALES**

pris le 11 septembre 1996  
déposé le 28 octobre 1996

modifiant le Règl. 950 des R.R.O. de 1990  
(Instances introduites au moyen du dépôt  
d'un procès-verbal d'infraction)

Remarque : Le Règlement 950 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. (1) Le numéro 307.1 de l'annexe 43 du Règlement 950 des Règlements refondus de l'Ontario de 1990 est abrogé.

(2) L'annexe 43 du Règlement est modifiée par adjonction des numéros suivants :

84.1	Drive commercial motor vehicle—no licence	subsection 32 (1)
85.1	Drive commercial motor vehicle—improper licence	subsection 32 (1)
87.1	Drive commercial motor vehicle with air brake—no endorsement	subsection 32 (3)
88.1	Drive commercial motor vehicle in contravention of conditions	subsection 32 (9)
89.1	Permit unlicensed person to drive commercial motor vehicle	subsection 32 (10)
90.1	Permit person with improper licence to drive commercial motor vehicle	subsection 32 (10)
125.1	Drive without proper headlights—commercial motor vehicle	subsection 62 (1)
126.1	Drive without proper rear light—commercial motor vehicle	subsection 62 (1)
131.1	Drive with improper headlights—commercial motor vehicle	subsection 62 (6)



132.1	Drive with headlight coated—commercial motor vehicle . . . . .	subsection 62 (7)
133.1	Drive with headlamp covered—commercial motor vehicle . . . . .	subsection 62 (7)
134.1	Drive with headlamp modified—commercial motor vehicle . . . . .	subsection 62 (7)
135.1	More than four lighted headlights—commercial motor vehicle . . . . .	subsection 62 (9)
136.1	Improper clearance lights—commercial motor vehicle . . . . .	subsection 62 (10)
137.1	Fail to have proper identification lamps—commercial motor vehicle . . . . .	subsection 62 (11)
138.1	Fail to have proper side marker lamps—commercial motor vehicle . . . . .	subsection 62 (13)
139.1	Use lamp producing intermittent flashes of red light—commercial motor vehicle . . . . .	subsection 62 (14)
140.1	Red light at front—commercial motor vehicle . . . . .	subsection 62 (15)
141.1	Use V.F.F. lamp improperly—commercial motor vehicle . . . . .	subsection 62 (16.1)
146.1	Have more than one spotlamp—commercial motor vehicle . . . . .	subsection 62 (22)
147.1	Improper use of spotlamp—commercial motor vehicle . . . . .	subsection 62 (22)
149.1	No red light on rear of trailer—commercial motor vehicle . . . . .	subsection 62 (24)
150.1	No red light on rear of object—commercial motor vehicle . . . . .	subsection 62 (24)
151.1	No proper red light—object over 2.6 m—commercial motor vehicle . . . . .	subsection 62 (25)
152.1	No lamp on left side—commercial motor vehicle . . . . .	subsection 62 (26)
154.1	No directional signals—commercial motor vehicle . . . . .	subsection 62 (29)
155.1	No brake lights—commercial motor vehicle . . . . .	subsection 62 (29)
159.1	Improper braking system—commercial motor vehicle . . . . .	subsection 64 (1)
162.1	Improper brakes on trailer—commercial motor vehicle . . . . .	subsection 64 (5)
163.1	Defective brakes—commercial motor vehicle . . . . .	subsection 64 (7)
164.1	Defective braking system—commercial motor vehicle . . . . .	subsection 64 (7)

171.1	Improper windshield wiper—commercial motor vehicle . . . . .	clause 66 (1) (a)
172.1	No windshield wiper—commercial motor vehicle . . . . .	clause 66 (1) (a)
173.1	Improper mirror—commercial motor vehicle . . . . .	clause 66 (1) (b)
174.1	No mirror—commercial motor vehicle . . . . .	clause 66 (1) (b)
175.1	Improper mudguards—commercial motor vehicle . . . . .	subsection 66 (3)
176.1	No mudguards—commercial motor vehicle . . . . .	subsection 66 (3)
177.1	No odometer—commercial motor vehicle . . . . .	subsection 66 (5)
178.1	Defective odometer—commercial motor vehicle . . . . .	subsection 66 (5)
185.1	Improper tires—commercial motor vehicle . . . . .	clause 70 (3) (a)
186.1	Improper tires—drawn vehicle—commercial motor vehicle . . . . .	clause 70 (3) (a)
187.1	Improperly installed tires—commercial motor vehicle . . . . .	clause 70 (3) (b)
188.1	Improperly installed tires—drawn vehicle—commercial motor vehicle . . . . .	clause 70 (3) (b)
226.1	Improper means of attachment—commercial motor vehicle . . . . .	section 80
228.1	Operate unsafe vehicle—commercial motor vehicle . . . . .	section 84
230.1	Operate unsafe combination of vehicles—commercial motor vehicle . . . . .	section 84
231.1	Permit operation of unsafe vehicle—commercial motor vehicle . . . . .	section 84
233.1	Permit operation of unsafe combination of vehicles—commercial motor vehicle . . . . .	section 84
307.1	Overlength combination of trailers . . . . .	subsection 109 (8)
315.1	Fail to mark overhanging load—commercial motor vehicle . . . . .	subsection 111 (1)
316.1	Insecure load—commercial motor vehicle	subsection 111 (2)

84.1	Conduire un véhicule utilitaire sans permis de conduire . . . . .	paragraphe 32 (1)
85.1	Conduire un véhicule utilitaire avec un permis de conduire irrégulier . . . . .	paragraphe 32 (1)



87.1	Conduire un véhicule utilitaire muni de freins à air comprimé sans inscription sur le permis à cet effet	paragraphe 32 (3)
	. . . . .	
88.1	Conduire un véhicule utilitaire en contravention avec les conditions	paragraphe 32 (9)
	. . . . .	
89.1	Autoriser une personne non titulaire d'un permis de conduire à conduire un véhicule utilitaire	paragraphe 32 (10)
	. . . . .	
90.1	Autoriser une personne avec un permis de conduire irrégulier à conduire un véhicule utilitaire	paragraphe 32 (10)
	. . . . .	
125.1	Conduire un véhicule utilitaire non muni de phares appropriés	paragraphe 62 (1)
	. . . . .	
126.1	Conduire un véhicule utilitaire non muni d'un feu arrière approprié	paragraphe 62 (1)
	. . . . .	
131.1	Conduire un véhicule utilitaire avec des phares irréguliers	paragraphe 62 (6)
	. . . . .	
132.1	Conduire un véhicule utilitaire avec un phare enduit d'un laque	paragraphe 62 (7)
	. . . . .	
133.1	Conduire un véhicule utilitaire avec un phare recouvert d'un matériel teinté	paragraphe 62 (7)
	. . . . .	
134.1	Conduire un véhicule utilitaire avec un phare modifié	paragraphe 62 (7)
	. . . . .	
135.1	Avoir plus de 4 phares allumés sur un véhicule utilitaire	paragraphe 62 (9)
	. . . . .	
136.1	Conduire un véhicule utilitaire avec des feux de gabarit irréguliers	paragraphe 62 (10)
	. . . . .	
137.1	Omettre de munir son véhicule utilitaire de feux de hauteur appropriés	paragraphe 62 (11)
	. . . . .	
138.1	Omettre de munir son véhicule utilitaire de feux de gabarit appropriés	paragraphe 62 (13)
	. . . . .	
139.1	Utiliser un feu rouge clignotant à lumière intermittente sur un véhicule utilitaire	paragraphe 62 (14)
	. . . . .	
140.1	Utiliser un feu rouge à l'avant d'un véhicule utilitaire	paragraphe 62 (15)
	. . . . .	
141.1	Utiliser un feu vert à lumière intermittente sur un véhicule utilitaire	paragraphe 62 (16.1)
	. . . . .	
146.1	Avoir plus d'un projecteur sur un véhicule utilitaire	paragraphe 62 (22)
	. . . . .	
147.1	Utiliser improprement un projecteur sur un véhicule utilitaire	paragraphe 62 (22)
	. . . . .	
149.1	Ne pas avoir de feu rouge à l'arrière d'une remorque tractée par un véhicule utilitaire	paragraphe 62 (24)
	. . . . .	
150.1	Ne pas avoir de feu rouge à l'arrière d'un objet tracté par un véhicule utilitaire	paragraphe 62 (24)
	. . . . .	
151.1	Ne pas avoir de feux rouges appropriés sur un objet de plus de 2,6 mètres tracté par un véhicule utilitaire	paragraphe 62 (25)
	. . . . .	

152.1	Ne pas avoir de feu sur le côté gauche d'un véhicule utilitaire . . . . .	paragraphe 62 (26)
154.1	Ne pas avoir de dispositifs de signalisation sur un véhicule utilitaire . . . . .	paragraphe 62 (29)
155.1	Ne pas avoir de feux d'arrêt sur un véhicule utilitaire . . . . .	paragraphe 62 (29)
159.1	Avoir un dispositif de freinage irrégulier sur un véhicule utilitaire . . . . .	paragraphe 64 (1)
162.1	Avoir des freins irréguliers sur une remorque tractée par un véhicule utilitaire . . . . .	paragraphe 64 (5)
163.1	Avoir des freins défectueux sur un véhicule utilitaire . . . . .	paragraphe 64 (7)
164.1	Avoir un dispositif de freinage défectueux sur un véhicule utilitaire . . . . .	paragraphe 64 (7)
171.1	Avoir un essuie-glace irrégulier sur un véhicule utilitaire . . . . .	alinéa 66 (1) a)
172.1	Ne pas avoir d'essuie-glace sur un véhicule utilitaire . . . . .	alinéa 66 (1) a)
173.1	Avoir un rétroviseur irrégulier sur un véhicule utilitaire . . . . .	alinéa 66 (1) b)
174.1	Ne pas avoir de rétroviseur sur un véhicule utilitaire . . . . .	alinéa 66 (1) b)
175.1	Avoir un garde-boue sur un véhicule utilitaire . . . . .	paragraphe 66 (3)
176.1	Ne pas avoir de garde-boue sur un véhicule utilitaire . . . . .	paragraphe 66 (3)
177.1	Ne pas avoir de compteur kilométrique sur un véhicule utilitaire . . . . .	paragraphe 66 (5)
178.1	Avoir un compteur kilométrique défectueux sur un véhicule utilitaire . . . . .	paragraphe 66 (5)
185.1	Avoir des pneus irréguliers sur un véhicule utilitaire . . . . .	alinéa 70 (3) a)
186.1	Avoir des pneus irréguliers sur un véhicule tracté par un véhicule utilitaire . . . . .	alinéa 70 (3) a)
187.1	Avoir des pneus mal posés sur un véhicule utilitaire . . . . .	alinéa 70 (3) b)
188.1	Avoir des pneus mal posés sur un véhicule tracté par un véhicule utilitaire . . . . .	alinéa 70 (3) b)
226.1	Avoir des éléments de fixation irréguliers sur un véhicule utilitaire . . . . .	article 80
228.1	Utiliser un véhicule utilitaire en mauvais état . . . . .	article 84
230.1	Utiliser un ensemble de véhicules utilitaires en mauvais état . . . . .	article 84



231.1	Autoriser l'utilisation d'un véhicule utilitaire en mauvais état . . . . .	article 84
233.1	Autoriser l'utilisation d'un ensemble de véhicules utilitaires en mauvais état . . . . .	article 84
307.1	Ensemble de remorques de longueur excessive . . . . .	paragraphe 109 (8)
315.1	Omettre de marquer une charge faisant saillie à l'arrière d'un véhicule utilitaire . . . . .	paragraphe 111 (1)
316.1	Charge mal arrimée à un véhicule utilitaire	paragraphe 111 (2)

2. Schedule 45 to the Regulation is amended by adding the following items:

2. L'annexe 45 du Règlement est modifiée par adjonction des numéros suivants :

1.1	Load not properly confined—commercial motor vehicle . . . . .	subsection 2 (1)
3.	No covering on load—commercial motor vehicle	subsection 2 (1)

3. Schedule 48 to the Regulation is amended by adding the following items:

3. L'annexe 48 du Règlement est modifiée par adjonction des numéros suivants :

4.1	Brakes inadequate to stop vehicle—commercial motor vehicle . . . . .	section 3
5.1	Brakes inadequate to stop combination of vehicles—commercial motor vehicle . . . . .	section 3
7.1	Push rod stroke exceeds prescribed limit—commercial motor vehicle . . . . .	subsection 5 (1)
8.1	Push rod stroke exceeds manufacturer's maximum—commercial motor vehicle . . . . .	subsection 5 (2)
9.1	Combined brake shoe lining movement exceeds one-eighth of an inch—commercial motor vehicle . . . . .	subsection 5 (3)
10.1	Wheel brake not automatically adjustable—commercial motor vehicle . . . . .	subsection 5 (5)
11.1	Wheel brake not equipped with indicator—commercial motor vehicle . . . . .	subsection 5 (6)
12.1	Wheel brake removed—commercial motor vehicle . . . . .	subsection 5 (8)
13.1	Wheel brake rendered inoperable—commercial motor vehicle . . . . .	subsection 5 (8)
14.1	Wheel brake operating improperly—commercial motor vehicle . . . . .	subsection 5 (8)
15.1	Unequal braking power—commercial motor vehicle	subsection 5 (9)

4. Schedule 50 to the Regulation is amended by adding the following item:

4. L'annexe 50 du Règlement est modifiée par adjonction du numéro suivant :

1.1	Improper lights—commercial motor vehicle	subsection 2 (1)
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5. Schedule 55.1 to the Regulation is amended by adding the following items:

5. L'annexe 55.1 du Règlement est modifiée par adjonction des numéros suivants :

1.1	Fail to contain load as prescribed—commercial motor vehicle .	clause 2 (1) (a)
2.1	Fail to have required number of tiedown assemblies—commercial motor vehicle .	clause 2 (1) (b)
3.1	Fail to prevent load from shifting forward—commercial motor vehicle .	subsection 2 (3)
4.1	Fail to properly block or brace load—commercial motor vehicle .	clause 2 (3) (a)
5.1	Use tiedown assembly failing to meet required aggregate working load limit—commercial motor vehicle .	subsection 3 (1)
6.1	Use defective or damaged tiedown assembly—commercial motor vehicle .	subsection 3 (6)
7.1	Fail to secure over-the-centre tiedown tensioner with adequate secondary means—commercial motor vehicle .	subsection 3 (7)
9.	Fail to contain load as prescribed—commercial motor vehicle	section 4

6. Schedule 57 to the Regulation is amended by striking out "subsection 2 (2)" in column 2 of Item 1 and substituting "section 9".

6. L'annexe 57 du Règlement est modifiée par substitution de «section 9» à «subsection 2 (2)» à la colonne 2 du numéro 1.

7. Schedule 84 to the Regulation is amended by adding the following items:

7. L'annexe 84 du Règlement est modifiée par adjonction des numéros suivants :

7.1	Roller skate, inline skate or skateboard on Authority property	subsection 10 (6)
7.2	Wear roller skates or inline skates on trains or other vehicles operated by the Authority	subsection 10 (7)
7.3	Operate a bicycle on Authority property except as prescribed .	subsection 10 (8)
23.	Bring a bicycle on a train when proscribed	subsection 11 (8.1)
24.	Bring a bicycle into Union Station when proscribed	subsection 11 (8.2)



**ONTARIO REGULATION 486/96**  
made under the  
**FRENCH LANGUAGE SERVICES ACT**

Made: October 30, 1996  
Filed: October 31, 1996

Amending O. Reg. 398/93  
(Designation of Public Service Agencies)

Note: Since January 1, 1996, Ontario Regulation 398/93 has been amended by Ontario Regulation 62/96. For previous amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 1 of Ontario Regulation 398/93 is amended by adding the following designations:**

Alzheimer Society of Cornwall and District/Société Alzheimer de Cornwall et Région but only in respect of community information sessions, self-help groups, individual support services and family support groups programs carried out on behalf of the Ministry of Health.

Association for Persons with Physical Disabilities of Windsor and Essex County but only in respect of the Central Y Supportive Housing program carried out on behalf of the Ministry of Health.

Centre de services à l'emploi de Prescott-Russell Inc. in respect of the programs carried out on behalf of the Ministry of Community and Social Services.

Clinique juridique communautaire Grand-Nord Community Legal Clinic in respect of the programs carried out on behalf of the Ministry of the Attorney General.

Community Lifecare Inc. in respect of the programs carried out on behalf of the Ministry of Health by Community Nursing Home in Alexandria.

Community Living Timmins Intégration Communautaire in respect of the programs carried out on behalf of the Ministry of Community and Social Services.

Cornwall Home Assistance Services to Seniors Inc. in respect of the programs carried out on behalf of the Ministry of Health.

Garderie La Joie de North York Inc. in respect of the programs carried out on behalf of the Ministry of Community and Social Services.

Glengarry Association for Community Living in respect of the programs carried out on behalf of the Ministry of Community and Social Services.

Kapuskasing & District Association for Community Living in respect of the programs carried out on behalf of the Ministry of Community and Social Services.

L'Accueil Francophone de Thunder Bay in respect of the programs carried out on behalf of the Ministry of Health.

North Algoma Health Organization in respect of the programs carried out on behalf of the Ministry of Health by Medical Centre in Dubreuilville.

Ontario Prevention Clearinghouse in respect of the programs carried out on behalf of the Ministry of Health.

Physically Handicapped Adults' Rehabilitation Association-Nipissing-Parry Sound in respect of the programs carried out on behalf of the Ministry of Health.

**RÈGLEMENT DE L'ONTARIO 486/96**  
pris en application de la  
**LOI SUR LES SERVICES EN FRANÇAIS**

pris le 30 octobre 1996  
déposé le 31 octobre 1996

modifiant le Règl. de l'Ont. 398/93  
(Désignation d'organismes offrant des services publics)

Remarque : Depuis le 1<sup>er</sup> janvier 1996, le Règlement de l'Ontario 398/93 a été modifié par le Règlement de l'Ontario 62/96. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

**1. L'article 1 du Règlement de l'Ontario 398/93 est modifié par adjonction des désignations suivantes :**

Alzheimer Society of Cornwall and District/Société Alzheimer de Cornwall et Région mais seulement à l'égard des programmes de séances communautaires d'information, des groupes d'entraide, de soutien individuel et des groupes de soutien pour la famille exécutés pour le compte du ministère de la Santé.

Association for Persons with Physical Disabilities of Windsor and Essex County mais seulement à l'égard du programme de logement avec services de soutien du Central Y exécuté pour le compte du ministère de la Santé.

Centre de services à l'emploi de Prescott-Russell Inc. à l'égard des programmes exécutés pour le compte du ministère des Services sociaux et communautaires.

Clinique juridique communautaire Grand-Nord Community Legal Clinic à l'égard des programmes exécutés pour le compte du ministère du Procureur général.

Community Lifecare Inc. à l'égard des programmes exécutés pour le compte du ministère de la Santé par Community Nursing Home à Alexandria.

Community Living Timmins Intégration Communautaire à l'égard des programmes exécutés pour le compte du ministère des Services sociaux et communautaires.

Cornwall Home Assistance Services to Seniors Inc. à l'égard des programmes exécutés pour le compte du ministère de la Santé.

Garderie La Joie de North York Inc. à l'égard des programmes exécutés pour le compte du ministère des Services sociaux et communautaires.

Glengarry Association for Community Living à l'égard des programmes exécutés pour le compte du ministère des Services sociaux et communautaires.

Kapuskasing & District Association for Community Living à l'égard des programmes exécutés pour le compte du ministère des Services sociaux et communautaires.

L'Accueil Francophone de Thunder Bay à l'égard des programmes exécutés pour le compte du ministère de la Santé.

North Algoma Health Organization à l'égard des programmes exécutés pour le compte du ministère de la Santé par le Centre Médical à Dubreuilville.

Ontario Prevention Clearinghouse à l'égard des programmes exécutés pour le compte du ministère de la Santé.

Physically Handicapped Adults' Rehabilitation Association-Nipissing-Parry Sound à l'égard des programmes exécutés pour le compte du ministère de la Santé.

Services communautaires et de santé Carlington Community and Health Services Corporation but only in respect of the Family Violence Program carried out on behalf of the Ministry of Community and Social Services.

Services de garde de Rayside-Balfour in respect of the programs carried out on behalf of the Ministry of Community and Social Services.

Services de santé de Chapleau Health Services in respect of the programs carried out on behalf of the Ministry of Health.

Sudbury Community Service Centre in respect of the programs carried out on behalf of the Ministry of Community and Social Services.

Victorian Order of Nurses, Sudbury Branch but only in respect of the Home Support, Foot Care, Supportive Housing, Placement Coordination Service and Nursing Programs carried out on behalf of the Ministry of Health.

Services communautaires et de santé Carlington Community and Health Services Corporation mais seulement à l'égard des programmes de violence familiale exécutés pour le compte du ministère des Services sociaux et communautaires.

Services de garde de Rayside-Balfour à l'égard des programmes exécutés pour le compte du ministère des Services sociaux et communautaires.

Services de santé de Chapleau Health Services à l'égard des programmes exécutés pour le compte du ministère de la Santé.

Sudbury Community Service Centre à l'égard des programmes exécutés pour le compte du ministère des Services sociaux et communautaires.

Victorian Order of Nurses, Sudbury Branch mais seulement à l'égard des programmes de soutien à domicile, des soins des pieds, de logement avec services de soutien, de service de coordination des placements et des soins infirmiers exécutés pour le compte du ministère de la Santé.

46/96

**ONTARIO REGULATION 487/96**  
made under the  
**GAME AND FISH ACT**

Made: October 30, 1996  
Filed: October 31, 1996

Amending Reg. 526 of R.R.O. 1990  
(Trap-Line Areas)

Note: Regulation 526 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. (1) Item 18 of Schedule 10 to Regulation 526 of the Revised Regulations of Ontario, 1990 is amended by striking out "130" in column 1 and substituting "198".

(2) Item 19 of Schedule 10 to the Regulation is revoked.

2. Schedule 13 to the Regulation is revoked and the following substituted:

**Schedule 13**

Abbreviations:  
Al for Algoma  
Co for Cochrane

ITEM	Column 1	COLUMN 2	COLUMN 3
1	19	HE01	Co.
2	19	HE02	Co.
3	19	HE03	Co.
4	19	HE04	Co.
5	19	HE05	Co.
6	19	HE06	Co.
7	19	HE07	Co.
8	19	HE08	Co.

ITEM	Column 1	COLUMN 2	COLUMN 3
9	19	HE09	Co.
10	19	HE10	Co.
11	19	HE11	Co.
12	19	HE12	Co.
13	19	HE13	Co.
14	19	HE14	Co.
15	19	HE15	Co.
16	19	HE16	Co.
17	19	HE17	Co.
18	19	HE18	Co.
19	19	HE19	Co.
20	19	HE20	Co.
21	160	HE26	Co.
22	19	HE27	Co.
23	19	HE28	Co.
24	19	HE29	Co.
25	19	HE30	Co.
26	19	HE31	Co.
27	133	HE32	Co.
28	133	HE33	Co.
29	133	HE34	Co.
30	19	HE35	Co.
31	160	HE36	Co.
32	19	HE37	Al.
33	19	HE38	Al.
34	19	HE39	Co.



ITEM	Column 1	COLUMN 2	COLUMN 3
35	19	HE40	Co.
36	19	HE41	Co.
37	19	HE47	Co.
38	19	HE48	Co.
39	19	HE49	Al.
40	19	HE50	Al.
41	19	HE51	Al.
42	19	HE53	Al.
43	19	HE54	Co.
44	19	HE55	Al.
45	19	HE56	Al.
46	19	HE57	Al.
47	19	HE60	Co.
48	19	HE66	Al.
49	160	HE68	Al.
50	19	HE69	Al.
51	19	HE70	Al.
52	19	HE71	Al.
53	19	HE72	Al.
54	19	HE73	Al.
55	199	HE75	Al.
56	19	HE76	Al.
57	19	HE77	Al.
58	19	HE78	Al.
59	19	HE79	Al.
60	19	HE80	Al.
61	19	HE86	Al.
62	19	HE87	Al.
63	19	HE88	Al.
64	19	HE89	Al.
65	19	HE90	Al.
66	19	HE91	Al.
67	19	HE92	Al.
68	133	HE93	Al.
69	19	HE94	Al.
70	19	HE95	Al.
71	19	HE96	Al.
72	19	HE97	Al.
73	19	HE98	Al.
74	19	HE99	Al.
75	133	HE100	Co.
76	19	HE101	Al.
77	19	HE102	Al.

ITEM	Column 1	COLUMN 2	COLUMN 3
78	19	HE103	Al.
79	133	HE104	Al.
80	160	HE105	Al.
81	160	HE107	Al.

3. (1) Item 6 of Schedule 18 to the Regulation is revoked.

(2) Item 49 of Schedule 18 to the Regulation is revoked and the following substituted:

49	200	KL-51	Co & Tim
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4. Items 33 and 34 of Schedule 24 to the Regulation are revoked and the following substituted:

33	201	PE-69	Ren
34	201	PE-70	Ren

5. Items 62 and 63 of Schedule 25 to the Regulation are revoked and the following substituted:

62	43	RL-74	Ken
63	43	RL-75	Ken

6. (1) Item 13 of Schedule 27 to the Regulation is amended by striking out "84 & 85" in column 1 and substituting "203".

(2) Item 14 of Schedule 27 to the Regulation is amended by striking out "45" in column 1 and substituting "203".

7. (1) Item 22 of Schedule 29 to the Regulation is revoked.

(2) Item 23 of Schedule 29 to the Regulation is amended by striking out "59" in column 1 and substituting "204".

8. Schedule 31 to the Regulation is revoked and the following substituted:

#### Schedule 31

Abbreviations:  
T.B. for Thunder Bay

ITEM	COLUMN 1	COLUMN 2	COLUMN 3
1	205	TB04	T.B.
2	205	TB10	T.B.
3	205	TB12	T.B.
4	205	TB13	T.B.
5	205	TB14	T.B.
6	205	TB15	T.B.
7	205	TB16	T.B.
8	205	TB17	T.B.
9	205	TB21	T.B.
10	205	TB22	T.B.
11	205	TB23	T.B.
12	205	TB24	T.B.

ITEM	COLUMN 1	COLUMN 2	COLUMN 3
13	205	TB25	T.B.
14	205	TB26	T.B.
15	205	TB29	T.B.
16	205	TB30	T.B.
17	205	TB31	T.B.
18	205	TB33	T.B.
19	205	TB34	T.B.
20	205	TB35	T.B.
21	205	TB36	T.B.
22	205	TB38	T.B.
23	205	TB41	T.B.
24	205	TB42	T.B.
25	205	TB43	T.B.
26	205	TB44	T.B.
27	205	TB45	T.B.
28	205	TB46	T.B.
29	205	TB47	T.B.
30	205	TB48	T.B.
31	205	TB49	T.B.
32	205	TB50	T.B.
33	205	TB51	T.B.
34	205	TB52	T.B.
35	205	TB53	T.B.
36	205	TB54	T.B.
37	205	TB55	T.B.
38	205	TB56	T.B.
39	205	TB59	T.B.
40	205	TB60	T.B.
41	205	TB62	T.B.
42	205	TB63	T.B.
43	205	TB64	T.B.
44	205	TB66	T.B.
45	205	TB67	T.B.
46	205	TB68	T.B.
47	205	TB69	T.B.
48	205	TB70	T.B.
49	205	TB71	T.B.
50	205	TB72	T.B.
51	205	TB73	T.B.
52	205	TB74	T.B.
53	205	TB75	T.B.
54	205	TB76	T.B.
55	205	TB77	T.B.

ITEM	COLUMN 1	COLUMN 2	COLUMN 3
56	205	TB78	T.B.
57	205	TB79	T.B.
58	205	TB80	T.B.
59	205	TB81	T.B.
60	205	TB82	T.B.
61	205	TB83	T.B.
62	205	TB84	T.B.
63	205	TB85	T.B.
64	205	TB86	T.B.
65	205	TB87	T.B.
66	205	TB88	T.B.
67	205	TB89	T.B.
68	205	TB90	T.B.
69	205	TB91	T.B.
70	205	TB92	T.B.
71	205	TB93	T.B.
72	205	TB94	T.B.
73	205	TB95	T.B.
74	205	TB96	T.B.
75	205	TB97	T.B.
76	205	TB98	T.B.
77	205	TB99	T.B.
78	205	TB100	T.B.
79	205	TB101	T.B.
80	205	TB103	T.B.
81	205	TB104	T.B.
82	205	TB105	T.B.
83	205	TB106	T.B.
84	205	TB107	T.B.
85	205	TB108	T.B.
86	205	TB109	T.B.
87	205	TB113	T.B.
88	205	TB114	T.B.
89	205	TB115	T.B.
90	205	TB117	T.B.
91	205	TB118	T.B.
92	205	TB119	T.B.
93	205	TB120	T.B.
94	205	TB121	T.B.
95	205	TB123	T.B.
96	205	TB124	T.B.
97	205	TB125	T.B.
98	205	TB126	T.B.



ITEM	COLUMN 1	COLUMN 2	COLUMN 3
99	205	TB128	T.B.
100	205	TB129	T.B.
101	205	TB131	T.B.
102	205	TB132	T.B.
103	205	TB133	T.B.
104	205	TB134	T.B.
105	205	TB135	T.B.
106	205	TB136	T.B.
107	205	TB137	T.B.
108	205	TB139	T.B.
109	205	TB140	T.B.
110	205	TB141	T.B.
111	205	TB142	T.B.
112	205	TB143	T.B.
113	205	TB144	T.B.
114	205	TB145	T.B.
115	205	TB147	T.B.
116	205	TB148	T.B.
117	205	TB149	T.B.
118	205	TB150	T.B.
119	205	TB151	T.B.
120	205	TB152	T.B.
121	205	TB153	T.B.
122	205	TB154	T.B.
123	205	TB157	T.B.
124	205	TB158	T.B.
125	205	TB159	T.B.
126	205	TB161	T.B.
127	205	TB162	T.B.
128	205	TB163	T.B.
129	205	TB164	T.B.
130	205	TB165	T.B.
131	205	TB166	T.B.
132	205	TB170	T.B.
133	205	TB172	T.B.
134	205	TB173	T.B.
135	205	TB176	T.B.
136	205	TB184	T.B.
137	205	TB193	T.B.
138	205	TB194	T.B.

**ONTARIO REGULATION 488/96**  
made under the  
**CORPORATIONS TAX ACT**

Made: October 30, 1996

Filed: November 1, 1996

Amending Reg. 183 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 183 has been amended by Ontario Regulation 171/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Regulation 183 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:**

**302.1** (1) An amount that may reasonably be regarded as equal to the amount of salary or wages earned by an employee of an employer for performing a service in Ontario for the benefit of or on behalf of a corporation that is not the employer of the employee shall be deemed for the purposes of this Part to be salary paid by the corporation to an employee of the corporation in the taxation year of the corporation in which the salary or wages are paid to the employee if,

- (a) at the time the service is performed, the corporation and the employer do not deal at arm's length;
- (b) at the time the service is performed, the corporation has one or more permanent establishments in Ontario;
- (c) the service performed by the employee,
  - (i) is carried out by the employee in the course of his or her employment by the employer,
  - (ii) is carried out for the benefit of or on behalf of the corporation as part of the regular and routine operations of a business carried on by the corporation, and
  - (iii) is of a type that could reasonably be expected to be performed by employees of entities carrying on the same type of business as the business referred to in subclause (ii); and
- (d) the amount is not otherwise included in the aggregate of the salaries and wages paid by the corporation that is determined for the purposes of this Part.

(2) An amount that may reasonably be regarded as equal to the amount of salary or wages earned by an employee of an employer for performing a service in Ontario for the benefit of or on behalf of a partnership that is not the employer of the employee shall be deemed for the purposes of this Part to be salary paid by the partnership to an employee of the partnership in the fiscal year of the partnership in which the salary or wages are paid to the employee if,

- (a) at the time the service is performed,
  - (i) the partnership or a member of the partnership does not deal at arm's length with the employer, or
  - (ii) the employer is a member of the partnership;
- (b) at the time the service is performed, the partnership would be considered to have one or more permanent establishments in Ontario if references in section 4 of the Act to "corporation" were read as references to "partnership";
- (c) the service performed by the employee,

- (i) is carried out by the employee in the course of his or her employment by the employer,
  - (ii) is carried out for the benefit of or on behalf of the partnership as part of the regular and routine operations of a business carried on by the partnership, and
  - (iii) is of a type that could reasonably be expected to be performed by employees of entities carrying on the same type of business as the business referred to in subclause (ii); and
- (d) the amount is not otherwise included in the aggregate of the salaries and wages paid by the partnership that is determined for the purposes of this Part.
- (3) This section does not apply to a corporation for a taxation year if,
- (a) the total of all amounts that would be included as a result of this section in a determination for the purposes of this Part of the aggregate of the salaries and wages paid by the corporation in the taxation year is less than 20 per cent of the aggregate of the salaries and wages paid by the corporation that would otherwise be determined for the purposes of this Part in the absence of this section; or
  - (b) the Minister is of the opinion that an undue reduction in the total amount of tax payable to Ontario by the corporation and the employer,
- (i) was not one of the purposes or intended ancillary results of entering into or continuing the agreement or arrangement under which the service was performed by the employee for the benefit of or on behalf of the corporation, and
  - (ii) was not one of the purposes or intended ancillary results of entering into or continuing any other arrangement or agreement that affects the amount of salaries or wages paid by the corporation in the taxation year for the purposes of this Part, if in the Minister's opinion the other arrangement or agreement can reasonably be linked to the agreement or arrangement referred to in subclause (i).
- (4) If an amount is deemed under this section to be salary paid by a corporation to an employee of the corporation, the amount shall be deemed to have been paid to an employee employed at,
- (a) the permanent establishment or establishments of the corporation in Ontario where the service was performed; or
  - (b) such other permanent establishment or establishments of the corporation in Ontario as are reasonable in the circumstances, if the service was not performed at a permanent establishment of the corporation in Ontario.
- (5) If this section applies in respect of a year, the Minister may, on receipt of a joint request from the corporation and the employer in a form approved by the Minister, permit the employer, for the purpose of a determination under this Part of the employer's salaries and wages or gross revenues for the year, to deduct an amount the Minister considers reasonable that does not exceed the lesser of,
- (a) the amount included by the corporation for the year as a result of this section in its salaries and wages with respect to the services performed by employees of the employer for the benefit of or on behalf of the corporation; and
  - (b) the amount included by the employer for the year in its salaries and wages and gross revenues with respect to the services

performed by employees of the employer for the benefit of or on behalf of the corporation.

(6) The references in subsections (3) and (4) to amounts included in a determination as a result of this section in respect of a corporation for a taxation year or deemed under this section to be salary paid by a corporation to an employee of the corporation for a taxation year include any amount that, in accordance with subsection 302 (6), is required to be included in the amount of salaries and wages paid in the taxation year by the corporation in respect of an amount that is deemed under subsection (2) to be salary paid by a partnership to an employee of the partnership in the partnership's fiscal year ending in or coinciding with the corporation's taxation year.

(7) This section does not apply in respect of a corporation's taxation year that commenced on or before the date that Ontario Regulation 488/96 is filed with the Registrar of Regulations in accordance with the *Regulations Act* unless one of the following agreements or arrangements is entered into after that date:

1. An agreement or arrangement under which services are performed in Ontario for the benefit of or on behalf of the corporation by an employee of an employer that is not the corporation.
2. An agreement or arrangement that affects the amount of salaries or wages paid by the corporation in the taxation year for the purposes of this Part, if in the Minister's opinion the arrangement or agreement can reasonably be linked to an agreement or arrangement referred to in paragraph 1.

46/96

# **ONTARIO REGULATION 489/96** made under the **GAME AND FISH ACT**

Made: October 31, 1996  
Filed: November 1, 1996

Amending Reg. 510 of R.R.O. 1990  
(Open Seasons—Fur-Bearing Animals)

Note: Regulation 510 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 3 of Regulation 510 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**3. Raccoon may be hunted or trapped and raccoon pelts may be possessed in the parts of Ontario described in,**

- (a) Schedules 1, 2 and 3 and in paragraph 1 of Schedule 4 from October 15 to December 31, both inclusive, in any year;
- (b) paragraph 2 of Schedule 4 from October 15 to January 15 in the year next following, both inclusive, in any year.

**2. Clause 4(b) of the Regulation is amended by striking out "22<sup>nd</sup> day of April" and substituting "15<sup>th</sup> day of May".**

CHRIS HODGSON  
Minister of Natural Resources

Dated at Toronto on October 31, 1996.

46/96



**ONTARIO REGULATION 490/96****made under the  
PLANNING ACT**

Made: October 31, 1996  
Filed: November 1, 1996

Amending O. Reg. 200/96  
(Minor Variance Applications)

Note: Ontario Regulation 200/96 has been amended by Ontario Regulation 432/96.

1. Ontario Regulation 200/96 is amended by adding the following French version:

**DEMANDES DE DÉROGATION MINEURE**

1. Les définitions qui suivent s'appliquent au présent règlement.

«comité» Le comité de dérogation ayant compétence dans la zone où est situé le terrain visé. («committee»)

«réserve» Parcelle de terrain dont la Couronne du chef du Canada est propriétaire en common law et qu'elle a mise de côté à l'usage et au profit d'une première nation. («reserve»)

«secrétaire-trésorier» Le secrétaire-trésorier d'un comité. («secretary-treasurer»)

«terrain visé» Le terrain qui fait l'objet de la demande de dérogation mineure ou d'autorisation visée à l'article 45 de la Loi. («subject land»)

2. Les renseignements et documents que l'auteur de la demande doit fournir aux termes de l'article 45 de la Loi sont indiqués à l'annexe.

3. (1) Au moins 10 jours avant la date prévue pour la tenue d'une audience portant sur une demande de dérogation mineure ou d'autorisation prévue au paragraphe 45 (5) de la Loi, un avis est donné conformément au paragraphe (2), (3) ou (4), mais nul n'est besoin qu'il soit donné conformément à plus d'un de ces paragraphes.

(2) L'avis visé au paragraphe (1) peut être donné de la façon suivante :

1. D'une part, par signification à personne ou par courrier affranchi de la première classe à chaque propriétaire de terrain situé dans un rayon de 60 mètres de la zone visée par la demande. Toutefois, si un ensemble de condominiums est situé dans un rayon de 60 mètres de la zone, l'avis peut être donné à l'association condominiale, à son plus récent domicile élu ou à sa plus récente adresse postale enregistrés aux termes de l'article 3 de la *Loi sur les condominiums*, au lieu d'être donné à tous les propriétaires inscrits au rôle d'imposition à l'égard de l'ensemble de condominiums.

2. D'autre part, par affichage d'un avis facilement visible et lisible de la voie publique ou de tout autre endroit accessible au public, sur chaque bien-fonds faisant l'objet d'une imposition distincte dans la zone visée par la demande ou, si l'affichage y est difficile, à un endroit rapproché choisi par le secrétaire-trésorier.

(3) L'avis visé au paragraphe (1) peut être donné par signification à personne ou par courrier affranchi de la première classe à chaque personne inscrite au rôle d'imposition à l'égard de terrains situés dans un rayon de 60 mètres de la zone visée par la demande.

**RÈGLEMENT DE L'ONTARIO 490/96**  
pris en application de la  
**LOI SUR L'AMÉNAGEMENT DU TERRITOIRE**

pris le 31 octobre 1996  
déposé le 1<sup>er</sup> novembre 1996

modifiant le Règl. de l'Ont. 200/96  
(Demandes de dérogation mineure)

Remarque : Le Règlement de l'Ontario 200/96 a été modifié par le Règlement de l'Ontario 432/96.

1. Le Règlement de l'Ontario 200/96 est modifié par adjonction de la version française suivante :

(4) L'avis visé au paragraphe (1) peut être donné par publication dans un journal dont la diffusion est, de l'avis du secrétaire-trésorier, assez grande dans la zone visée par la demande pour que le public reçoive un avis raisonnable de l'audience.

(5) Pour l'application du paragraphe (2) ou (3), les propriétaires de terrains ou les personnes inscrites au rôle d'imposition à l'égard de terrains sont réputés être les personnes dont l'adresse figure au dernier rôle d'imposition révisé de la municipalité ou au rôle d'impôt foncier provincial qui est en vigueur. Toutefois, si le terrain est situé dans une municipalité et que le secrétaire de celle-ci a reçu un avis écrit du changement de propriété ou d'occupation d'un terrain, l'avis est donné plutôt au nouveau propriétaire ou au nouvel occupant à l'adresse indiquée dans l'avis.

(6) Malgré les paragraphes (2) et (3), lorsqu'un règlement municipal de zonage réserve l'utilisation du terrain faisant l'objet d'une demande à des habitations unifamiliales ou jumelées ou à des duplex et que la demande vise une dérogation mineure visée au paragraphe 45 (1) de la Loi, le comité de dérogation peut ordonner que l'étendue de la zone visée à ces paragraphes aux fins des avis soit réduite à 30 mètres.

(7) Chaque personne et chaque organisme public qui a présenté au secrétaire-trésorier une demande écrite pour recevoir l'avis de la tenue d'une audience portant sur une demande de dérogation mineure ou d'autorisation visée au paragraphe 45 (1) ou (2) de la Loi reçoit cet avis par signification à personne, par courrier affranchi de la première classe ou par télécopie.

(8) La demande écrite visée au paragraphe (7) indique l'adresse de la personne ou de l'organisme public.

(9) L'avis prévu au paragraphe 45 (5) de la Loi concernant la tenue d'une audience portant sur une demande de dérogation mineure ou d'autorisation est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie aux personnes et organismes publics suivants, sauf s'ils ont avisé le comité qu'ils ne désirent pas recevoir d'avis :

1. Le secrétaire de chaque municipalité locale ayant compétence dans la zone visée par la demande.

2. Le secrétaire de chaque comté et de chaque municipalité régionale, de communauté urbaine ou de district ayant compétence dans la zone visée par la demande.

3. Le secrétaire de la municipalité de secteur située dans la zone visée par la demande, si l'avis est donné par la municipalité régionale de Haldimand-Norfolk, la municipalité régionale de Sudbury ou le comté d'Oxford.

4. Le secrétaire-trésorier de chaque conseil d'aménagement ou de chaque office d'aménagement municipal ayant compétence dans la zone visée par la demande.

5. Le secrétaire-trésorier de chaque office de protection de la nature ayant compétence dans la zone visée par la demande.
6. Si le terrain visé est situé dans la zone visée par le plan de l'escarpement du Niagara, ou y est contigu :
  - i. d'une part, l'urbaniste principal du bureau de district de la Commission de l'escarpement du Niagara ayant compétence sur ce terrain,
  - ii. d'autre part, l'urbaniste principal du bureau de district de la Commission de l'escarpement du Niagara ayant compétence dans la zone contiguë à ce terrain.
7. Le chef de chaque conseil de première nation, si la première nation se trouve sur une réserve dont une partie est située dans un rayon d'un kilomètre du terrain visé.

(10) L'avis prévu à l'article 45 de la Loi concernant la tenue d'une audience portant sur une demande de dérogation mineure ou d'autorisation est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, si le directeur a demandé par écrit au secrétaire-trésorier de lui donner de tels avis.

(11) L'avis de la tenue d'une audience comprend ce qui suit :

1. Les date, heure et lieu de l'audience.
2. Une note expliquant le but et l'effet de la proposition de dérogation mineure ou d'autorisation.
3. Une description du terrain visé ou une carte-index indiquant l'emplacement du terrain visé.
4. L'endroit et le moment où des renseignements additionnels concernant la demande seront mis à la disposition du public aux fins de consultation.
5. S'il est connu que le terrain visé fait l'objet, aux termes de la Loi, d'une demande d'approbation d'un plan de lotissement ou d'une demande d'autorisation, une mention à cet effet ainsi que le numéro de dossier de la demande.

(12) Malgré le paragraphe (11), l'avis de la tenue d'une audience qui est donné par affichage sur le terrain visé comprend ce qui suit :

1. Les date, heure et lieu de l'audience.
2. Une note expliquant le but et l'effet de la proposition de dérogation mineure ou d'autorisation.
3. L'endroit et le moment où des renseignements additionnels concernant la demande seront mis à la disposition du public aux fins de consultation.
4. La façon d'obtenir une copie de l'avis écrit de la tenue de l'audience.

4. (1) Le Règlement 923 des Règlements refondus de l'Ontario de 1990 est abrogé.

(2) Malgré l'abrogation du règlement visé au présent article, le traitement des demandes de dérogation mineure visées à l'article 45 de la Loi qui, aux termes des articles 74.1 et 75 de la Loi, étaient réputées avoir été présentées avant le 22 mai 1996 se poursuit comme si le règlement n'avait pas été abrogé.

## Annexe

### RENSEIGNEMENTS ET DOCUMENTS DEVANT ÊTRE FOURNIS À L'APPUI DE LA DEMANDE VISÉE À L'ARTICLE 45 DE LA LOI

1. Les nom, adresse et numéro de téléphone du propriétaire du terrain visé et, si l'auteur de la demande est le mandataire autorisé du propriétaire, ceux du mandataire.
2. La désignation actuelle du terrain visé sur le plan officiel applicable.
3. Le zonage actuel du terrain visé.
4. La nature et l'étendue de la dispense à l'égard du règlement municipal de zonage.
5. La raison pour laquelle l'utilisation projetée ne peut se conformer aux dispositions du règlement municipal de zonage.
6. La description du terrain visé, tels la municipalité, le numéro de la concession et des lots, le numéro du plan et des lots enregistrés, le numéro du plan de renvoi et des parties, et le numéro et le nom de la rue.
7. La longueur de la façade, la profondeur et la superficie du terrain visé.
8. Une mention indiquant si le terrain visé est accessible par une voie publique provinciale, un chemin municipal entretenu toute l'année ou de façon saisonnière, un autre chemin public ou un droit de passage, ou encore par voie d'eau.
9. Si le terrain visé est accessible par voie d'eau uniquement, les parcs de stationnement et les débarcadères utilisés ou dont l'utilisation est projetée, et la distance approximative les séparant du terrain visé et du chemin public le plus rapproché.
10. Les utilisations actuelles du terrain visé.
11. Une mention indiquant s'il existe des bâtiments ou des constructions sur le terrain visé.
12. Dans l'affirmative à l'article 11, pour chaque bâtiment ou construction, le type de bâtiment ou de construction, la distance entre le bâtiment ou la construction et les lignes avant, arrière et latérale du lot, sa hauteur en mètres et ses dimensions ou la superficie de ses pièces.
13. Les utilisations projetées pour le terrain visé.
14. Une mention indiquant si des bâtiments ou constructions sont projetés sur le terrain visé.
15. Dans l'affirmative à l'article 14, pour chaque bâtiment ou construction, le type de bâtiment ou de construction, la distance entre le bâtiment ou la construction et les lignes avant, arrière et latérale du lot, sa hauteur en mètres, ses dimensions ou la superficie de ses pièces.
16. La date de l'acquisition du terrain visé par le propriétaire actuel.
17. La date de la construction des bâtiments ou des constructions existant sur le terrain visé.
18. La durée pendant laquelle les utilisations actuelles du terrain visé se sont poursuivies.
19. Une mention indiquant si l'eau est fournie au terrain visé par un système public d'approvisionnement en eau, par un puits



individuel ou communautaire appartenant à des intérêts privés qui en assurent le fonctionnement, par un lac ou une autre étendue d'eau ou par un autre moyen.

20. Une mention indiquant si l'évacuation des eaux d'égout du terrain visé est assurée par un système public d'égouts séparatifs, par un système septique individuel ou communautaire appartenant à des intérêts privés qui en assurent le fonctionnement, par des fosses d'aisance ou par un autre moyen.
21. Une mention indiquant si l'évacuation des eaux pluviales est assurée par des égouts, des fossés, des rigoles de drainage ou un autre dispositif.
22. Une mention indiquant, si ces renseignements sont connus, si le terrain visé fait l'objet, aux termes de la Loi, d'une demande d'approbation d'un plan de lotissement ou d'une demande d'autorisation.
23. Dans l'affirmative à l'article 22 et si ces renseignements sont connus, le numéro de dossier de la demande et l'état de la demande.
24. Une mention indiquant, si ces renseignements sont connus, si le terrain visé a déjà fait l'objet d'une demande aux termes de l'article 45 de la Loi.
25. Un croquis indiquant :
  - i. Les limites et les dimensions du terrain visé.

- ii. L'emplacement, les dimensions et le type des bâtiments et constructions existants et projetés sur le terrain visé, ainsi que la distance entre ceux-ci et les lignes avant, arrière et latérale du lot.
  - iii. L'emplacement approximatif de toutes les particularités naturelles et artificielles du terrain visé et des terrains adjacents qui, de l'avis de l'auteur de la demande, peuvent avoir une incidence sur la demande, telles que les bâtiments, les voies ferrées, les chemins, les cours d'eau, les fossés de drainage, les berges, les terres marécageuses, les zones boisées, les puits et les fosses septiques.
  - iv. Les utilisations actuelles des terrains adjacents au terrain visé.
  - v. L'emplacement, la largeur et la désignation des chemins sur le terrain visé, ou attenants à celui-ci, et une mention indiquant s'il s'agit d'emplacements affectés à une route non ouverte à la circulation, de chemins publics fréquentés, de chemins privés ou de droits de passage.
  - vi. Si le terrain visé est accessible par voie d'eau uniquement, l'emplacement des parcs de stationnement et des débarcadères dont l'utilisation est projetée.
  - vii. L'emplacement et la nature de toute servitude grevant le terrain visé.
26. Un affidavit ou une déclaration sous serment, souscrit par l'auteur de la demande, attestant l'exactitude des renseignements exigés par la présente annexe et fournis par l'auteur de la demande.

AL LEACH  
Minister of Municipal Affairs and Housing  
Ministre des Affaires municipales et du Logement

Dated at Toronto on October 31, 1996.  
Fait à Toronto le 31 octobre 1996.

46/96

**ONTARIO REGULATION 491/96**  
made under the  
**PLANNING ACT**

Made: October 31, 1996  
Filed: November 1, 1996

Amending O. Reg. 199/96  
(Zoning By-laws, Holding By-laws  
and Interim Control By-laws)

Note: Ontario Regulation 199/96 has been amended by Ontario Regulation 428/96.

1. Ontario Regulation 199/96 is amended by adding the following French version:

**RÈGLEMENT DE L'ONTARIO 491/96**  
pris en application de la  
**LOI SUR L'AMÉNAGEMENT DU TERRITOIRE**

pris le 31 octobre 1996  
déposé le 1<sup>er</sup> novembre 1996

modifiant le Règl. de l'Ont. 199/96  
(règlements municipaux de zonage,  
règlements municipaux portant  
utilisation différée et règlements  
municipaux d'interdiction provisoire)

Remarque : Le Règlement de l'Ontario 199/96 a été modifié par le Règlement de l'Ontario 428/96.

1. Le Règlement de l'Ontario 199/96 est modifié par adjonction de la version française suivante :



# **RÈGLEMENTS MUNICIPAUX DE ZONAGE, RÈGLEMENTS MUNICIPAUX PORTANT UTILISATION DIFFÉRÉE ET RÈGLEMENTS MUNICIPAUX D'INTERDICTION PROVISOIRE**

1. La définition qui suit s'applique au présent règlement.

«réserve» S'entend d'une parcelle de terrain dont la Couronne du chef du Canada est propriétaire en common law et qu'elle a mise de côté à l'usage et au profit d'une première nation. («reserve»)

2. Les renseignements et documents que l'auteur de la demande doit fournir aux termes du paragraphe 34 (10.1) de la Loi sont indiqués à l'annexe.

3. (1) L'avis prévu au paragraphe 34 (12) de la Loi concernant la tenue d'une réunion publique visant à informer le public sur une proposition de règlement municipal de zonage est donné conformément au paragraphe (2), (3) ou (4), mais nul n'est besoin qu'il soit donné conformément à plus d'un de ces paragraphes.

(2) L'avis visé au paragraphe (1) peut être donné de la façon suivante :

1. D'une part, par signification à personne ou par courrier affranchi de la première classe à chaque propriétaire de terrain situé dans un rayon de 120 mètres de la zone visée par la proposition de règlement municipal. Toutefois, si un ensemble de condominiums est situé dans un rayon de 120 mètres de la zone, l'avis peut être donné à l'association condominiale, à son plus récent domicile élu ou à sa plus récente adresse postale enregistrés aux termes de l'article 3 de la *Loi sur les condominiums*, au lieu d'être donné à tous les propriétaires inscrits au rôle d'imposition à l'égard de l'ensemble de condominiums.

2. D'autre part, par affichage d'un avis facilement visible et lisible de la voie publique ou de tout autre endroit accessible au public, sur chaque bien-fonds faisant l'objet d'une imposition distincte dans la zone visée par la proposition de règlement municipal ou, si l'affichage y est difficile, à un endroit rapproché choisi par le secrétaire de la municipalité ou le secrétaire-trésorier du conseil d'aménagement.

(3) L'avis visé au paragraphe (1) peut être donné par signification à personne ou par courrier affranchi de la première classe à chaque personne inscrite au rôle d'imposition à l'égard de terrains situés dans un rayon de 120 mètres de la zone visée par la proposition de règlement municipal.

(4) L'avis visé au paragraphe (1) peut être donné par publication dans un journal dont la diffusion est, de l'avis du secrétaire de la municipalité ou du secrétaire-trésorier du conseil d'aménagement, assez grande dans la zone visée par la proposition de règlement municipal pour que le public reçoive un avis raisonnable de la tenue de la réunion publique.

(5) Pour l'application des paragraphes (2) et (3), les propriétaires de terrains ou les personnes inscrites au rôle d'imposition à l'égard de terrains sont réputés être les personnes dont l'adresse figure au dernier rôle d'imposition révisé de la municipalité ou au rôle d'impôt foncier provincial qui est en vigueur. Toutefois, si le terrain est situé dans une municipalité et que le secrétaire de celle-ci a reçu un avis écrit du changement de propriété ou d'occupation d'un terrain, l'avis est donné plutôt au nouveau propriétaire ou au nouvel occupant à l'adresse indiquée dans l'avis.

(6) Chaque personne et chaque organisme public qui a présenté au secrétaire de la municipalité ou au secrétaire-trésorier du conseil d'aménagement une demande écrite pour recevoir l'avis prévu au

paragraphe 34 (12) de la Loi concernant la tenue d'une réunion publique visant à informer le public sur une proposition de règlement municipal de zonage reçoit cet avis par signification à personne, par courrier affranchi de la première classe ou par télécopie.

(7) La demande écrite visée au paragraphe (6) indique l'adresse de la personne ou de l'organisme public.

(8) L'avis prévu au paragraphe 34 (12) de la Loi concernant la tenue d'une réunion publique visant à informer le public sur une proposition de règlement municipal de zonage est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie aux personnes et organismes publics suivants, sauf s'ils ont avisé le secrétaire de la municipalité ou le secrétaire-trésorier du conseil d'aménagement qu'ils ne désirent pas recevoir de tels avis :

1. Le secrétaire de chaque comté et de chaque municipalité régionale, de communauté urbaine ou de district ayant compétence dans la zone visée par la proposition de règlement municipal.

2. Le secrétaire de la municipalité de secteur située dans la zone visée par le règlement municipal, si l'avis est donné par la municipalité régionale de Haldimand-Norfolk, la municipalité régionale de Sudbury ou le comté d'Oxford.

3. Le secrétaire-trésorier de chaque conseil d'aménagement ou de chaque office d'aménagement municipal ayant compétence dans la zone visée par le règlement municipal.

4. Le secrétaire de chaque conseil scolaire ayant compétence dans la zone visée par le règlement municipal.

5. Le secrétaire-trésorier de chaque office de protection de la nature ayant compétence dans la zone visée par le règlement municipal.

6. Le secrétaire de chaque personne morale, notamment une municipalité, exploitant des services d'électricité dans la municipalité locale ou la zone d'aménagement visée par le règlement municipal.

7. Le secrétaire de chaque société exploitant des services de distribution de gaz naturel dans la municipalité locale ou la zone d'aménagement visée par le règlement municipal.

8. Le responsable de la planification, «Corporate Real Estate Division», d'Ontario Hydro.

9. Le secrétaire de chaque société exploitant un oléoduc ou un pipeline pour gaz naturel dans la municipalité locale ou la zone d'aménagement visée par le règlement municipal.

10. Le président ou le secrétaire du comité consultatif local pour la conservation de l'architecture, le cas échéant, si la zone visée par le règlement municipal comprend un bien-fonds ou un district désigné en vertu de la partie IV ou V de la *Loi sur le patrimoine de l'Ontario*, ou est contiguë à un tel bien-fonds ou district.

11. Si le terrain visé par le règlement municipal est situé dans la zone visée par le plan de l'escarpement du Niagara, ou y est attenant :

i. d'une part, l'urbaniste principal du bureau de district de la Commission de l'escarpement du Niagara ayant compétence sur ce terrain,

ii. d'autre part, l'urbaniste principal du bureau de district de la Commission de l'escarpement du Niagara ayant compétence dans la zone attenante au terrain.

12. La Commission des parcs du Niagara, si une partie du terrain visé par le règlement municipal est contiguë à la promenade du Niagara ou relève de la compétence de la Commission.



13. La Commission des parcs du Saint-Laurent, si une partie du terrain visé par le règlement municipal est contiguë à la promenade des Mille-Îles et relève de la compétence de la Commission en vertu de l'article 9 de la *Loi sur la Commission des parcs du Saint-Laurent*.

14. Le secrétaire de chaque municipalité et le secrétaire-trésorier de chaque office d'aménagement municipal ou de chaque conseil d'aménagement, si une partie de la municipalité, de la zone d'aménagement municipal ou de la zone d'aménagement est située dans un rayon d'un kilomètre de la zone visée par le règlement municipal.

15. Le chef de chaque conseil de première nation, si la première nation se trouve sur une réserve dont une partie est située dans un rayon d'un kilomètre de la zone visée par la proposition de règlement municipal.

(9) L'avis prévu au paragraphe 34 (12) de la Loi concernant la tenue d'une réunion publique visant à informer le public sur une proposition de règlement municipal de zonage est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, si le directeur a demandé par écrit au secrétaire de la municipalité ou au secrétaire-trésorier du conseil d'aménagement de lui donner de tels avis.

(10) L'avis prévu au paragraphe 34 (12) de la Loi concernant la tenue d'une réunion publique visant à informer le public sur une proposition de règlement municipal de zonage comprend ce qui suit :

1. Les date, heure et lieu de la réunion publique.
2. Une note expliquant le but et l'effet de la proposition de règlement municipal de zonage.
3. Une description du terrain ou une carte-index indiquant le terrain visé par la proposition de règlement municipal de zonage, ou une note expliquant l'absence d'une telle description ou d'une telle carte-index.
4. S'il est connu que le terrain visé par la proposition de règlement municipal de zonage fait l'objet, aux termes de la Loi, d'une demande de modification d'un plan officiel, d'une demande d'arrêté ministériel de zonage, d'une demande d'approbation d'un plan de lotissement ou d'une demande d'autorisation, une mention à cet effet ainsi que le numéro de dossier de la demande.

5. La mention suivante :

Si une personne ou un organisme public qui dépose un avis d'appel d'une décision de (*nom de la municipalité ou du conseil d'aménagement*) relativement à la proposition de règlement municipal de zonage ne présente pas d'observations orales lors d'une réunion publique ou ne présente pas d'observations écrites à (*nom de la municipalité ou du conseil d'aménagement*) avant que la proposition de règlement municipal de zonage ne soit adoptée, la Commission des affaires municipales de l'Ontario peut rejeter l'appel en totalité ou en partie.

6. L'endroit et le moment où des renseignements additionnels sur la proposition de règlement municipal de zonage seront mis à la disposition du public aux fins de consultation.

(11) Malgré le paragraphe (10), l'avis qui est donné par affichage sur le bien-fonds comprend ce qui suit :

1. Les date, heure et lieu de la réunion publique.

2. Une note expliquant le but et l'effet de la proposition de règlement municipal de zonage.

3. L'endroit et le moment où des renseignements additionnels sur la proposition de règlement municipal de zonage seront mis à la disposition du public aux fins de consultation.

4. La façon d'obtenir une copie de l'avis écrit de la réunion publique.

4. (1) L'avis prévu au paragraphe 34 (18) de la Loi concernant l'adoption d'un règlement municipal est donné, selon le cas :

1. Par publication dans un journal dont la diffusion est, de l'avis du secrétaire de la municipalité ou du secrétaire-trésorier du conseil d'aménagement, assez grande dans la zone visée par le règlement municipal pour que le public reçoive un avis raisonnable de son adoption.

2. Par signification à personne ou par courrier affranchi de la première classe à chaque propriétaire de terrain situé dans un rayon de 120 mètres de la zone visée par le règlement municipal. Si un ensemble de condominiums est situé dans un rayon de 120 mètres du terrain visé, l'avis peut être donné à l'association condominiale, à son plus récent domicile élu ou à sa plus récente adresse postale enregistrés en vertu de l'article 3 de la *Loi sur les condominiums*, au lieu d'être donné à tous les propriétaires inscrits au rôle d'imposition à l'égard de l'ensemble de condominiums.

(2) Pour l'application du paragraphe (1), les propriétaires de terrains sont ceux dont l'adresse figure au dernier rôle d'imposition révisé de la municipalité ou au rôle d'impôt foncier provincial qui est en vigueur. Toutefois, si le terrain est situé dans une municipalité et que le secrétaire de celle-ci a reçu un avis écrit du changement de propriété d'un terrain, l'avis est donné plutôt au nouveau propriétaire à l'adresse indiquée dans l'avis écrit.

(3) Chaque personne et chaque organisme public qui a présenté au secrétaire de la municipalité ou au secrétaire-trésorier du conseil d'aménagement une demande écrite pour recevoir l'avis prévu au paragraphe 34 (18) de la Loi concernant l'adoption d'un règlement municipal reçoit cet avis par signification à personne, par courrier affranchi de la première classe ou par télécopie.

(4) La demande écrite visée au paragraphe (3) indique l'adresse de la personne ou de l'organisme public.

(5) L'avis prévu au paragraphe 34 (18) de la Loi concernant l'adoption d'un règlement municipal est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie aux personnes et organismes publics suivants, sauf s'ils ont avisé le secrétaire de la municipalité ou le secrétaire-trésorier du conseil d'aménagement qu'ils ne désirent pas recevoir de tels avis :

1. Si le règlement municipal est adopté par le conseil d'une municipalité locale faisant partie d'un comté ou d'une municipalité régionale, de communauté urbaine ou de district, le secrétaire de ce comté ou de cette municipalité.

2. Si le règlement municipal est adopté par la municipalité régionale de Haldimand-Norfolk, la municipalité régionale de Sudbury ou le comté d'Oxford, au secrétaire de la municipalité de secteur dans laquelle est située la zone visée par le règlement municipal.

3. Le secrétaire-trésorier de chaque conseil d'aménagement ou de chaque office d'aménagement municipal ayant compétence dans la zone visée par le règlement municipal.

(6) L'avis prévu au paragraphe 34 (18) de la Loi concernant l'adoption d'un règlement municipal est donné par signification à



personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, si le directeur a demandé par écrit au secrétaire de la municipalité ou au secrétaire-trésorier du conseil d'aménagement de lui donner de tels avis.

(7) L'avis prévu au paragraphe 34 (18) de la Loi concernant l'adoption d'un règlement municipal comprend ce qui suit :

1. Une note expliquant le but et l'effet du règlement municipal.
2. Le numéro du règlement municipal et la date de son adoption.
3. Une description du terrain ou une carte-index indiquant le terrain visé par le règlement municipal, ou une note expliquant l'absence d'une telle description ou d'une telle carte-index.
4. Le dernier jour où peut être déposé un avis d'appel du règlement municipal, et une mention indiquant que l'avis d'appel doit être déposé auprès du secrétaire de la municipalité ou du secrétaire-trésorier du conseil d'aménagement, doit indiquer les motifs à l'appui et doit être accompagné des droits exigés par la Commission des affaires municipales de l'Ontario.
5. La mention suivante :

Seuls les particuliers, les personnes morales et les organismes publics peuvent interjeter appel d'un règlement municipal de zonage devant la Commission des affaires municipales de l'Ontario. Les associations et les groupes sans personnalité morale ne peuvent pas déposer d'avis d'appel. Toutefois, un avis d'appel peut être déposé au nom d'un particulier qui est membre de l'association ou du groupe pour le compte de l'une ou l'autre.

6. S'il est connu que le terrain visé par la proposition de règlement municipal fait l'objet, aux termes de la Loi, d'une demande de modification d'un plan officiel, d'une demande d'arrêté ministériel de zonage, d'une demande d'approbation d'un plan de lotissement ou d'une demande d'autorisation, une mention à cet effet ainsi que le numéro de dossier de la demande.

(8) L'avis visé au paragraphe (5) ou (6) est accompagné d'une copie du règlement municipal.

5. (1) L'avis prévu au paragraphe 36 (4) de la Loi concernant l'intention d'adopter un règlement municipal modificateur en vue de supprimer un symbole d'utilisation différée d'un règlement municipal de zonage est donné, selon le cas :

1. Par publication dans un journal dont la diffusion est, de l'avis du secrétaire de la municipalité ou du secrétaire-trésorier du conseil d'aménagement, assez grande dans la zone visée par la proposition de règlement municipal modificateur pour que le public reçoive un avis raisonnable de l'intention du conseil ou du conseil d'aménagement.
2. Par signification à personne ou par courrier affranchi de la première classe à chaque propriétaire de terrain situé dans la zone visée par la proposition de règlement municipal modificateur. Toutefois, si un ensemble de condominiums est situé dans la zone, l'avis peut être donné à l'association condominiale, à son plus récent domicile élu ou à sa plus récente adresse postale enregistrés en vertu de l'article 3 de la *Loi sur les condominiums*, au lieu d'être donné à tous les propriétaires inscrits au rôle d'imposition à l'égard de l'ensemble de condominiums.

(2) Pour l'application du paragraphe (1), les propriétaires de terrains sont réputés être ceux dont l'adresse figure au dernier rôle d'imposition révisé de la municipalité ou au rôle d'impôt foncier provincial qui est

en vigueur. Toutefois, si le terrain est situé dans une municipalité et que le secrétaire de celle-ci a reçu un avis écrit du changement de propriété d'un terrain, l'avis est donné plutôt au nouveau propriétaire à l'adresse indiquée dans l'avis.

(3) Chaque personne et chaque organisme public qui a présenté au secrétaire de la municipalité ou au secrétaire-trésorier du conseil d'aménagement une demande écrite pour recevoir l'avis prévu au paragraphe 36 (4) de la Loi concernant l'intention d'adopter un règlement municipal modificateur en vue de supprimer un symbole d'utilisation différée d'un règlement municipal de zonage est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie.

(4) La demande écrite visée au paragraphe (3) indique l'adresse de la personne ou de l'organisme public.

(5) L'avis prévu au paragraphe 36 (4) de la Loi concernant l'intention d'adopter un règlement municipal modificateur en vue de supprimer un symbole d'utilisation différée d'un règlement municipal de zonage comprend ce qui suit :

1. Une note expliquant l'effet de la suppression du symbole d'utilisation différée.
2. Une description du terrain ou une carte-index indiquant le terrain visé par la proposition de règlement municipal, ou une note expliquant l'absence d'une telle description ou d'une telle carte-index.
3. Une mention indiquant la date la plus rapprochée à laquelle le conseil ou le conseil d'aménagement se propose de tenir une réunion en vue d'adopter le règlement municipal modificateur.

6. (1) L'avis prévu au paragraphe 38 (3) de la Loi concernant l'adoption d'un règlement municipal d'interdiction provisoire ou d'un règlement municipal prorogeant l'application d'un règlement municipal d'interdiction provisoire est donné, selon le cas :

1. Par publication dans un journal dont la diffusion est, de l'avis du secrétaire de la municipalité ou du secrétaire-trésorier du conseil d'aménagement, assez grande dans la zone visée par le règlement municipal pour que le public reçoive un avis raisonnable de l'adoption du règlement municipal.
2. Par signification à personne ou par courrier affranchi de la première classe à chaque propriétaire de terrain situé dans un rayon de 120 mètres de la zone visée par le règlement municipal. Toutefois, si un ensemble de condominiums est situé dans un rayon de 120 mètres de la zone, l'avis peut être donné à l'association condominiale, à son plus récent domicile élu ou à sa plus récente adresse postale enregistrés en vertu de l'article 3 de la *Loi sur les condominiums*, au lieu d'être donné à tous les propriétaires inscrits au rôle d'imposition à l'égard de l'ensemble de condominiums.

(2) Pour l'application du paragraphe (1), les propriétaires de terrains sont réputés être ceux dont l'adresse figure au dernier rôle d'imposition révisé de la municipalité ou au rôle d'impôt foncier provincial qui est en vigueur. Toutefois, si le terrain est situé dans une municipalité et que le secrétaire de celle-ci a reçu un avis écrit du changement de propriété d'un terrain, l'avis est donné plutôt au nouveau propriétaire à l'adresse indiquée dans l'avis.

(3) L'avis prévu au paragraphe 38 (3) de la Loi concernant l'adoption d'un règlement municipal est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie aux personnes et organismes publics suivants, sauf s'ils ont avisé le secrétaire de la municipalité ou le secrétaire-trésorier du conseil d'aménagement qu'ils ne désirent pas recevoir de tels avis :

1. Si le règlement municipal est adopté par le conseil d'une municipalité locale faisant partie d'un comté ou d'une municipalité régionale, de communauté urbaine ou de district, le secrétaire de ce comté ou de cette municipalité.



2. Si le règlement municipal est adopté par la municipalité régionale de Haldimand-Norfolk, la municipalité régionale de Sudbury ou le comté d'Oxford, le secrétaire de la municipalité de secteur dans laquelle est située la zone visée par le règlement municipal.

(4) L'avis prévu au paragraphe 38 (3) de la Loi concernant l'adoption d'un règlement municipal est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, si le directeur a demandé par écrit au secrétaire de la municipalité ou au secrétaire-trésorier du conseil d'aménagement de lui donner de tels avis.

(5) L'avis prévu au paragraphe 38 (3) de la Loi concernant l'adoption d'un règlement municipal d'interdiction provisoire ou d'un règlement municipal prorogeant l'application d'un règlement municipal d'interdiction provisoire comprend ce qui suit :

1. Une copie du règlement municipal et une note expliquant son but et son effet.
2. Une description du terrain ou une carte-index indiquant le terrain visé par le règlement municipal, ou une note expliquant l'absence d'une telle description ou d'une telle carte-index.
3. Une mention indiquant que le conseil ou le conseil d'aménagement a le pouvoir de proroger l'application du règlement municipal pour un délai dont la durée totale ne dépasse pas deux ans.
4. Le dernier jour où peut être déposé un avis d'appel du règlement municipal, et une mention indiquant que l'avis d'appel doit être déposé auprès du secrétaire de la municipalité ou du secrétaire-trésorier du conseil d'aménagement, doit indiquer les motifs à l'appui et doit être accompagné des droits exigés par la Commission des affaires municipales de l'Ontario.
5. La mention suivante :

Seuls les particuliers, les personnes morales et les organismes publics peuvent interjeter appel d'un règlement municipal d'interdiction provisoire devant la Commission des affaires municipales de l'Ontario. Les associations ou les groupes sans personnalité morale ne peuvent pas déposer d'avis d'appel. Toutefois, l'avis d'appel peut être déposé au nom d'un particulier qui est membre de l'association ou du groupe pour le compte de l'une ou l'autre.

**7. (1) Les Règlements de l'Ontario 44/95, 139/95 et 286/95 sont abrogés.**

**(2) Malgré l'abrogation des règlements visés au présent article, le traitement des propositions de règlement municipal de zonage qui, aux termes de l'article 75 de la Loi, étaient réputées avoir été présentées avant le 22 mai 1996 se poursuit comme si les règlements n'avaient pas été abrogés.**

#### Annexe

#### RENSEIGNEMENTS ET DOCUMENTS DEVANT ÊTRE FOURNIS À L'APPUI DE LA DEMANDE VISÉE AU PARAGRAPHE 34 (10.1) DE LA LOI

1. Les nom, adresse et numéro de téléphone de l'auteur de la demande.

2. Si ces renseignements sont connus, les nom et adresse des détenteurs d'hypothèques, de charges ou d'autres sûretés grevant le terrain visé.
3. La désignation actuelle du terrain visé sur le plan officiel applicable.
4. Le zonage actuel du terrain visé.
5. La nature et l'étendue de la modification du zonage demandée.
6. Les motifs de la demande de modification du zonage.
7. La description du terrain visé, tels la municipalité, le numéro de la concession et des lots, le numéro du plan et des lots enregistrés, le numéro du plan de renvoi et des parties, et le numéro et le nom de la rue.
8. La longueur de la façade, la profondeur et la superficie du terrain visé.
9. Une mention indiquant si le terrain visé est accessible par une voie publique provinciale, un chemin municipal entretenu toute l'année ou de façon saisonnière, un autre chemin public ou un droit de passage, ou encore par voie d'eau.
10. Si le terrain visé est accessible par voie d'eau uniquement, les parcs de stationnement et les débarcadères utilisés ou dont l'utilisation est projetée, et la distance approximative les séparant du terrain visé et du chemin public le plus rapproché.
11. Les utilisations actuelles du terrain visé.
12. Une mention indiquant s'il existe des bâtiments ou des constructions sur le terrain visé.
13. Dans l'affirmative à l'article 12, pour chaque bâtiment ou construction, le type de bâtiment ou de construction, la distance entre le bâtiment ou la construction et les lignes avant, arrière et latérale du lot, sa hauteur en mètres et ses dimensions ou la superficie de ses pièces.
14. Les utilisations projetées pour le terrain visé.
15. Une mention indiquant si des bâtiments ou constructions sont projetés sur le terrain visé.
16. Dans l'affirmative à l'article 15, pour chaque bâtiment ou construction, le type de bâtiment ou de construction, la distance entre le bâtiment ou la construction et les lignes avant, arrière et latérale du lot, sa hauteur en mètres, ses dimensions ou la superficie de ses pièces.
17. Si ce renseignement est connu, la date de l'acquisition du terrain visé par le propriétaire actuel.
18. Si ces renseignements sont connus, la date de la construction des bâtiments ou des constructions existants sur le terrain visé.
19. Si ces renseignements sont connus, la durée pendant laquelle les utilisations actuelles du terrain visé se sont poursuivies.
20. Une mention indiquant si l'eau est fournie au terrain visé par un système public d'approvisionnement en eau, par un puits individuel ou communautaire appartenant à des intérêts privés qui en assurent le fonctionnement, par un lac ou une autre étendue d'eau, ou par un autre moyen.

21. Une mention indiquant si l'évacuation des eaux d'égout du terrain visé est assurée par un système public d'égouts séparatifs, par un système septique individuel ou communautaire appartenant à des intérêts privés qui en assurent le fonctionnement, par des fosses d'aisance ou par un autre moyen.
22. Une mention indiquant si l'évacuation des eaux pluviales est assurée par des égouts, des fossés, des rigoles de drainage ou un autre dispositif.
23. Une mention indiquant, si ces renseignements sont connus, si le terrain visé fait l'objet, aux termes de la Loi, d'une demande d'approbation d'un plan de lotissement ou d'une demande d'autorisation.
24. Dans l'affirmative à l'article 23 et si ces renseignements sont connus, le numéro de dossier de la demande et l'état de la demande.
25. Une mention indiquant, si ce renseignement est connu, si le terrain visé a déjà fait l'objet d'une demande en vertu de l'article 34 de la Loi.
26. Un croquis indiquant :
  - i. Les limites et les dimensions du terrain visé.
  - ii. L'emplacement, les dimensions et le type de tous les bâtiments et constructions existants et projetés sur le terrain

visé, ainsi que la distance entre les bâtiments ou constructions et les lignes avant, arrière et latérale du lot.

- iii. L'emplacement approximatif de toutes les particularités naturelles et artificielles du terrain visé et des terrains adjacents qui, de l'avis de l'auteur de la demande, peuvent avoir une incidence sur la demande telles que les bâtiments, les voies ferrées, les chemins, les cours d'eau, les fossés de drainage, les berges, les terres marécageuses, les zones boisées, les puits et les fosses septiques.
  - iv. Les utilisations actuelles des terrains adjacents au terrain visé.
  - v. L'emplacement, la largeur et la désignation des chemins sur le terrain visé, ou attenants à celui-ci, et une mention indiquant s'il s'agit d'emplacements affectés à une route non ouverte à la circulation, de chemins publics fréquentés, de chemins privés ou de droits de passage.
  - vi. Si le terrain visé sera accessible par voie d'eau uniquement, l'emplacement des parcs de stationnement et des débarcadères dont l'utilisation est projetée.
  - vii. L'emplacement et la nature de toute servitude grevant le terrain visé.
27. Un affidavit ou une déclaration sous serment, souscrit par l'auteur de la demande, attestant l'exactitude des renseignements exigés par la présente annexe et fournis par l'auteur de la demande.

AL LEACH

*Minister of Municipal Affairs and Housing  
Ministre des Affaires municipales et du Logement*

Dated at Toronto on October 31, 1996.  
Fait à Toronto le 31 octobre 1996.

46/96

**ONTARIO REGULATION 492/96**  
made under the  
**PLANNING ACT**

Made: October 31, 1996  
Filed: November 1, 1996

Amending O. Reg. 197/96  
(Consent Applications)

Note: Ontario Regulation 197/96 has not been previously amended.

1. Ontario Regulation 197/96 is amended by adding the following French version:

**RÈGLEMENT DE L'ONTARIO 492/96**  
pris en application de la  
**LOI SUR L'AMÉNAGEMENT DU TERRITOIRE**

pris le 31 octobre 1996  
déposé le 1<sup>er</sup> novembre 1996

modifiant le Règl. de l'Ont. 197/96  
(Demandes d'autorisation)

Remarque: Le Règlement de l'Ontario 197/96 n'a été modifié antérieurement.

1. Le Règlement de l'Ontario 197/96 est modifié par adjonction de la version française suivante :



## DEMANDES D'AUTORISATION

## PARTIE I

DEMANDES D'AUTORISATION PRÉSENTÉES À UN  
CONSEIL MUNICIPAL

## 1. Les définitions qui suivent s'appliquent à la présente partie.

«autorité approbatrice» S'entend, selon le cas :

- a) du conseil municipal qui a le pouvoir d'accorder une autorisation relativement au terrain faisant l'objet d'une demande d'autorisation et s'entend en outre du délégué du conseil municipal;
- b) d'un office d'aménagement municipal auquel a été délégué le pouvoir d'accorder une autorisation relativement au terrain faisant l'objet d'une demande d'autorisation et s'entend en outre du délégué de l'office d'aménagement municipal. («approval authority»)

«fonctionnaire» S'entend :

- a) du secrétaire de la municipalité, lorsque l'autorité approbatrice est le conseil de la municipalité, un comité du conseil ou un fonctionnaire nommé;
- b) du secrétaire-trésorier du comité de morcellement des terres ou du comité de dérogation, selon le cas, lorsque l'autorité approbatrice est l'un ou l'autre de ces comités;
- c) du secrétaire-trésorier de l'office d'aménagement municipal, lorsque l'autorité approbatrice est un office d'aménagement municipal, un comité de l'office ou un fonctionnaire nommé. («official»)

«réservation» S'entend d'une parcelle de terrain dont la Couronne du chef du Canada est propriétaire en common law et qu'elle a mise de côté à l'usage et au profit d'une première nation. («reserve»)

«terrain visé» S'entend du terrain dont le morcellement est projeté, et le terrain devant être conservé. («subject land»)

2. Les renseignements et documents que l'auteur de la demande doit fournir à l'autorité approbatrice aux termes du paragraphe 53 (1) de la Loi sont indiqués à l'annexe.

3. (1) L'avis prévu à l'alinéa 53 (5) a) de la Loi concernant une demande d'autorisation est donné conformément au paragraphe (2), (3) ou (4), mais nul n'est besoin qu'il soit donné conformément à plus d'un de ces paragraphes.

(2) L'avis visé au paragraphe (1) peut être donné de la façon suivante :

- 1. D'une part, par signification à personne ou par courrier affranchi de la première classe, à l'adresse indiquée au dernier rôle d'imposition révisé de la municipalité, à chaque propriétaire de terrain situé dans un rayon de 60 mètres du terrain visé. Toutefois, si un ensemble de condominiums est situé dans un rayon de 60 mètres du terrain visé, l'avis peut être donné à l'association condominiale, à son plus récent domicile élu ou à sa plus récente adresse postale enregistrés aux termes de l'article 3 de la *Loi sur les condominiums*, au lieu d'être donné à tous les propriétaires inscrits au rôle d'imposition à l'égard de l'ensemble de condominiums.
- 2. D'autre part, par affichage d'un avis de la demande facilement visible et lisible de la voie publique ou de tout autre endroit accessible au public, sur chaque bien-fonds faisant l'objet d'une

imposition distincte dans la zone constituant le terrain visé ou, si l'affichage y est difficile, à un endroit rapproché choisi par le fonctionnaire.

(3) L'avis visé au paragraphe (1) peut être donné par signification à personne ou par courrier affranchi de la première classe à chaque personne inscrite au rôle d'imposition à l'égard de terrains situés dans un rayon de 60 mètres du terrain visé.

(4) L'avis visé au paragraphe (1) peut être donné par publication dans un journal dont la diffusion est, de l'avis du fonctionnaire, assez grande dans la zone contiguë au terrain visé pour que le public reçoive un avis raisonnable de la demande.

(5) Pour l'application des paragraphes (2) et (3), les propriétaires de terrains ou les personnes inscrites au rôle d'imposition à l'égard de terrains sont réputés être les personnes dont l'adresse figure au dernier rôle d'imposition révisé de la municipalité ou au rôle d'impôt foncier provincial qui est en vigueur. Toutefois, si l'autorité approbatrice est une municipalité et que le secrétaire de celle-ci a reçu un avis écrit du changement de propriété ou d'occupation d'un terrain, l'avis est donné plutôt au nouveau propriétaire ou au nouvel occupant à l'adresse indiquée dans l'avis.

(6) Chaque personne et chaque organisme public qui a présenté à l'autorité approbatrice une demande écrite pour recevoir l'avis prévu à l'alinéa 53 (5) a) de la Loi concernant une demande d'autorisation reçoit cet avis par signification à personne, par courrier affranchi de la première classe ou par télécopie.

(7) La demande écrite visée au paragraphe (6) indique l'adresse de la personne ou de l'organisme public.

(8) L'avis prévu à l'alinéa 53 (5) a) de la Loi concernant une demande d'autorisation est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie aux personnes et organismes publics suivants, sauf s'ils ont avisé l'autorité approbatrice qu'ils ne désirent pas recevoir d'avis :

- 1. Le secrétaire de chaque municipalité locale ou le secrétaire-trésorier de chaque office d'aménagement municipal ou de chaque conseil d'aménagement sur le territoire duquel le terrain visé est situé.
- 2. Le secrétaire de chaque comté et de chaque municipalité régionale, de communauté urbaine ou de district sur le territoire duquel le terrain visé est situé.
- 3. Si le terrain visé est situé dans une zone relevant de la compétence d'un office de protection de la nature, le secrétaire-trésorier de l'office.
- 4. TransCanada Pipelines, si une partie du terrain visé se trouve dans un rayon de 200 mètres d'un pipeline appartenant à TransCanada Pipelines et exploité par cette dernière.
- 5. Si le terrain visé est situé dans la zone visée par le plan de l'escarpement du Niagara, ou y est adjoignant :
  - i. d'une part, l'urbaniste principal du bureau de district de la Commission de l'escarpement du Niagara ayant compétence sur ce terrain,
  - ii. d'autre part, l'urbaniste principal du bureau de district de la Commission de l'escarpement du Niagara ayant compétence dans la zone attenante au terrain visé.
- 6. La Commission des parcs du Niagara, si une partie du terrain visé est contiguë à la promenade du Niagara ou relève de la compétence de la Commission.
- 7. La Commission des parcs du Saint-Laurent, si une partie du terrain visé est contiguë à la promenade des Mille-Îles et relève



de la compétence de la Commission en vertu de l'article 9 de la *Loi sur la Commission des parcs du Saint-Laurent*.

8. Le chef de chaque conseil de première nation, si la première nation se trouve sur une réserve dont une partie est située dans un rayon d'un kilomètre du terrain visé.

(9) L'avis prévu à l'alinéa 53 (5) a) de la Loi concernant une demande d'autorisation est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, si le directeur a demandé par écrit à l'autorité approbatrice de lui donner de tels avis.

(10) L'avis concernant une demande d'autorisation comprend ce qui suit :

1. Une note explicative du but et de l'effet de la demande d'autorisation.
2. Une description du terrain ou une carte-index indiquant l'emplacement du terrain faisant l'objet de la demande.
3. L'endroit et le moment où des renseignements additionnels concernant la demande seront mis à la disposition du public aux fins de consultation.
4. La mention suivante :

Si une personne ou un organisme public qui interjette appel d'une décision de (*nom de l'autorité approbatrice*) relativement à l'autorisation demandée ne présente pas d'observations écrites à (*nom de l'autorité approbatrice*) avant que celle-ci ne donne ou ne refuse de donner une autorisation provisoire, la Commission des affaires municipales de l'Ontario peut rejeter l'appel.

5. La mention suivante :

Si vous désirez être avisé(e) de la décision de (*nom de l'autorité approbatrice*) relativement à l'autorisation demandée, vous devez présenter une demande écrite à (*nom et adresse de l'autorité approbatrice*).

6. Si le terrain faisant l'objet de la demande d'autorisation fait l'objet, aux termes de la Loi, d'une demande de modification d'un plan officiel, d'une demande de règlement municipal de zonage, d'une demande d'arrêt ministériel de zonage ou d'une demande de dérogation mineure, et si ces renseignements sont connus, une mention à cet effet ainsi que le numéro de dossier de la demande.

(11) L'avis donné aux personnes et aux organismes publics énumérés aux paragraphes (8) et (9) comprend également une copie de la demande.

(12) Lorsqu'une municipalité locale donne un avis concernant une demande d'autorisation sur demande d'une autorité approbatrice présentée en vertu du paragraphe 53 (7.1) de la Loi, l'autorité approbatrice peut demander à la municipalité locale d'indiquer dans l'avis visé au paragraphe (8) que les commentaires écrits doivent être présentés à l'autorité approbatrice.

(13) Malgré le paragraphe (10), l'avis qui est donné par affichage sur le bien-fonds comprend ce qui suit :

1. Une note explicative du but et de l'effet de la demande d'autorisation.

2. L'endroit et le moment où des renseignements additionnels concernant la demande seront mis à la disposition du public aux fins de consultation.

3. La façon d'obtenir une copie de l'avis écrit de la demande.

4. Lorsqu'une municipalité locale donne un avis concernant une demande d'autorisation sur demande d'une autorité approbatrice présentée en vertu du paragraphe 53 (7.1) de la Loi, la municipalité locale présente à cette dernière :

1. D'une part, une copie certifiée conforme de l'avis écrit de la demande.
2. D'autre part, un affidavit ou une déclaration sous serment, souscrit par un employé de la municipalité locale, attestant que les exigences relatives à la remise de l'avis visé à l'alinéa 53 (5) a) de la Loi ont été observées.

5. Le dossier que l'autorité approbatrice doit faire constituer et transmettre à la Commission des affaires municipales conformément à l'alinéa 53 (15) a) de la Loi contient ce qui suit :

1. L'original ou une copie certifiée conforme de la demande que l'autorité approbatrice a reçue.
2. L'original ou une copie certifiée conforme de l'avis d'appel et la date de sa réception.
3. L'original ou une copie des observations et commentaires écrits qui ont été reçus.
4. Si une réunion publique est tenue, une copie du procès-verbal de la réunion, le cas échéant, et une liste des personnes et des organismes publics qui ont présenté des observations orales lors de la réunion.
5. Une copie de tout rapport en matière d'aménagement étudié par l'autorité approbatrice.

6. (1) L'avis de la décision de l'autorité approbatrice prévu au paragraphe 53 (17) de la Loi comprend ce qui suit :

1. Une copie de la décision de l'autorité approbatrice, y compris les conditions, le cas échéant.
2. Le dernier jour où peut être déposé un avis d'appel de la décision de l'autorité approbatrice, et une mention indiquant que l'avis d'appel doit être déposé auprès de l'autorité approbatrice, doit indiquer les motifs à l'appui et doit être accompagné des droits exigés par la Commission des affaires municipales de l'Ontario.

3. Le cas échéant, la mention suivante :

Vous aurez le droit de recevoir un avis des modifications apportées aux conditions de l'autorisation provisoire si vous avez fait une demande par écrit à cet effet.

4. La mention suivante :

Seuls les particuliers, les personnes morales et les organismes publics peuvent interjeter appel des décisions relatives aux demandes d'autorisation devant la Commission des affaires municipales de l'Ontario. Les associations ou les groupes sans personnalité morale ne peuvent pas déposer d'avis d'appel. Toutefois, un avis d'appel peut être déposé au nom d'un particulier qui est membre de l'association ou du groupe pour le compte de l'une ou l'autre.

5. Si le terrain faisant l'objet de la demande d'autorisation fait l'objet, aux termes de la Loi, d'une demande de modification



d'un plan officiel, d'une demande de règlement municipal de zonage, d'une demande d'arrêté ministériel de zonage ou d'une demande de dérogation mineure, et si ces renseignements sont connus, une mention à cet effet ainsi que le numéro de dossier de la demande.

(2) L'avis de la décision de l'autorité approbatrice prévu au paragraphe 53 (17) de la Loi est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, si le directeur a demandé par écrit à l'autorité approbatrice de lui envoyer de tels avis.

7. (1) L'avis prévu au paragraphe 53 (24) de la Loi concernant les modifications apportées aux conditions d'une autorisation provisoire comprend ce qui suit :

1. Les modifications proposées.

2. Le dernier jour où peut être déposé un avis d'appel relativement aux conditions de l'autorisation provisoire, et une mention indiquant que l'avis d'appel doit être déposé auprès de l'autorité approbatrice, doit indiquer les motifs à l'appui et doit être accompagné des droits exigés par la Commission des affaires municipales de l'Ontario.

3. La mention suivante :

Seuls les particuliers, les personnes morales et les organismes publics peuvent interjeter appel des décisions relatives aux demandes d'autorisation devant la Commission des affaires municipales de l'Ontario. Les associations ou les groupes sans personnalité morale ne peuvent pas déposer d'avis d'appel. Toutefois, l'avis d'appel peut être déposé au nom d'un particulier qui est membre de l'association ou du groupe pour le compte de l'une ou l'autre.

(2) L'avis des modifications apportées aux conditions d'une autorisation provisoire prévu au paragraphe 53 (24) de la Loi est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, si le directeur a demandé par écrit à l'autorité approbatrice de lui envoyer de tels avis.

8. Le dossier que l'autorité approbatrice doit faire constituer et transmettre à la Commission des affaires municipales aux termes de l'alinéa 53 (28) a) de la Loi contient ce qui suit :

1. L'original ou une copie certifiée conforme de la demande que l'autorité approbatrice a reçue.

2. Une copie de la décision de l'autorité approbatrice.

3. L'original ou une copie certifiée conforme de l'avis d'appel et la date de sa réception.

4. L'original ou une copie des observations et commentaires écrits qui ont été reçus.

5. Si la municipalité locale donne un avis concernant une demande d'autorisation, l'affidavit ou la déclaration sous serment qui a été présenté à l'autorité approbatrice aux termes de la disposition 2 de l'article 4.

6. Si l'autorité approbatrice donne un avis concernant une demande d'autorisation, l'affidavit ou la déclaration sous serment, souscrit par un de ses employés, attestant que les exigences relatives à la remise de l'avis visé aux paragraphes 53 (17) et (24) de la Loi ont été observées.

7. Si une réunion publique a été tenue, une copie du procès-verbal de la réunion, le cas échéant, et une liste des personnes et des organismes publics qui ont présenté des observations orales lors de la réunion.

8. Une copie de tout rapport en matière d'aménagement étudié par l'autorité approbatrice.

9. (1) Si l'autorité approbatrice ne stipule pas, dans son autorisation, que le paragraphe 50 (3) ou (5) de la Loi s'applique à toute cession ou opération subséquente à l'égard de la même parcelle, le certificat exigé par le paragraphe 53 (42) de la Loi est, selon le cas :

1. Une estampille rédigée selon la formule 1, si le certificat est apposé à un acte de cession ou à un autre document se rapportant à l'opération visée par l'autorisation.

2. Un certificat rédigé selon la formule 2 dans tout autre cas.

(2) Si l'autorité approbatrice stipule, dans son autorisation, que le paragraphe 50 (3) ou (5) de la Loi s'applique à une cession ou opération subséquente à l'égard de la même parcelle, le certificat exigé par le paragraphe 53 (42) de la Loi est, selon le cas :

1. Une estampille rédigée selon la formule 3, si le certificat est apposé à un acte de cession ou à un autre document se rapportant à l'opération visée par l'autorisation.

2. Un certificat rédigé selon la formule 4 dans tout autre cas.

## PARTIE II DEMANDES D'AUTORISATION PRÉSENTÉES AU MINISTRE

10. Les renseignements et documents que l'auteur de la demande doit fournir au ministre aux termes du paragraphe 53 (1) de la Loi sont indiqués à l'annexe.

11. (1) L'avis prévu à l'alinéa 53 (5) a) de la Loi concernant une demande d'autorisation est donné, selon le cas :

1. Par publication dans un journal dont la diffusion est, de l'avis du ministre, assez grande dans la zone contiguë au terrain visé pour que le public se trouvant dans la zone reçoive un avis raisonnable de la demande.

2. Par signification à personne ou par courrier affranchi de la première classe, à l'adresse indiquée au dernier rôle d'imposition révisé de la municipalité ou au rôle d'impôt foncier provincial qui est en vigueur, à chaque propriétaire de terrain situé dans un rayon de 60 mètres du terrain visé. Toutefois, si un ensemble de condominiums est situé dans un rayon de 60 mètres du terrain visé, l'avis peut être donné à l'association condominiale, à son plus récent domicile élu ou à sa plus récente adresse postale enregistrés aux termes de l'article 3 de la *Loi sur les condominiums*, au lieu d'être donné à tous les propriétaires inscrits au rôle d'imposition à l'égard de l'ensemble de condominiums.

(2) Chaque personne et chaque organisme public qui a présenté au ministre une demande écrite pour recevoir l'avis prévu à l'alinéa 53 (5) a) de la Loi concernant une demande d'autorisation reçoit cet avis par signification à personne, par courrier affranchi de la première classe ou par télécopie.

(3) La demande écrite visée au paragraphe (2) indique l'adresse de la personne ou de l'organisme public.

12. Lorsqu'une municipalité locale ou un conseil d'aménagement donne un avis concernant une demande d'autorisation sur demande du ministre présentée en vertu du paragraphe 53 (7.1) de la Loi, la



municipalité locale ou le conseil d'aménagement présente à ce dernier :

1. D'une part, une copie certifiée conforme de l'avis écrit de la demande.
2. D'autre part, un affidavit ou une déclaration sous serment, souscrit par un employé de la municipalité locale ou du conseil d'aménagement, attestant que les exigences relatives à la remise de l'avis visé à l'alinéa 53 (5) a) de la Loi ont été observées.

13. Les articles 5 à 9 s'appliquent, avec les adaptations nécessaires, aux demandes d'autorisation présentées au ministre. Celui-ci est réputé l'autorité approbatrice et un employé du ministère des Affaires municipales et du Logement est réputé le fonctionnaire.

14. (1) Les Règlements de l'Ontario 41/95, 142/95 et 289/95 sont abrogés.

(2) Malgré l'abrogation des règlements visés au présent article, le traitement des demandes d'autorisation visées à l'article 53 de la Loi qui, aux termes de l'article 75 de la Loi, étaient réputées avoir été présentées avant le 22 mai 1996 se poursuit comme si les règlements n'avaient pas été abrogés.

#### Annexe

#### RENSEIGNEMENTS ET DOCUMENTS DEVANT ÊTRE FOURNIS À L'APPUI DE LA DEMANDE VISÉE AU PARAGRAPHE 53 (1) DE LA LOI

1. Les nom, adresse et numéro de téléphone du propriétaire du terrain visé et, si l'auteur de la demande est le mandataire autorisé du propriétaire, ceux du mandataire.
2. La nature et l'objet de l'opération projetée, tels une cession en vue de la création d'un nouveau lot, l'ajout à un lot, une servitude, une charge, un bail ou une correction du titre.
3. Si ce renseignement est connu, le nom de la personne à laquelle ou en faveur de laquelle le terrain ou un intérêt sur le terrain est cédé, cédé à bail ou grevé d'une charge.
4. La description du terrain visé, tels la municipalité ou le canton géographique dans un territoire non érigé en municipalité, le numéro de la concession et des lots, le numéro du plan et des lots enregistrés, le numéro du plan de renvoi et des parties, et le numéro et le nom de la rue.
5. Le cas échéant, la description et l'effet des servitudes ou des clauses restrictives grevant le terrain visé.
6. Les renseignements qui suivent concernant le terrain dont le morcellement est projeté et le terrain devant être conservé :
  - i. La longueur de façade, la profondeur et la superficie.
  - ii. L'utilisation actuelle et l'utilisation projetée du terrain.
  - iii. Les bâtiments et constructions existants et projetés sur le terrain.
  - iv. Une mention indiquant si le terrain sera accessible par une voie publique provinciale, un chemin municipal entretenu toute l'année ou de façon saisonnière, un autre chemin public, un droit de passage, ou encore par voie d'eau.
  - v. Si le terrain visé sera accessible par voie d'eau uniquement, les parcs de stationnement et les débarcadères dont l'utilisation est projetée, et la distance approximative les

séparant du terrain visé et du chemin public le plus rapproché.

- vi. Une mention indiquant si l'eau sera fournie par un système public d'approvisionnement en eau, par un puits individuel ou communautaire appartenant à des intérêts privés qui en assurent le fonctionnement, par un lac ou une autre étendue d'eau, ou par un autre moyen.
  - vii. Une mention indiquant si l'évacuation des eaux d'égout sera assurée par un système public d'égouts séparatifs, par un système septique individuel ou communautaire appartenant à des intérêts privés qui en assurent le fonctionnement, par une fosse d'aisances, ou par un autre moyen.
7. La désignation actuelle du terrain visé sur le plan officiel applicable.
  8. Une mention indiquant, si ces renseignements sont connus, si le terrain visé a déjà fait l'objet d'une demande d'approbation d'un plan de lotissement en vertu de l'article 51 de la Loi ou d'une demande d'autorisation en vertu de l'article 53 de la Loi; dans l'affirmative, si ces renseignements sont connus, le numéro de dossier de la demande et la décision prise à l'égard de celle-ci.
  9. Une mention indiquant si une partie du terrain a été morcelée à partir de la parcelle initialement acquise par le propriétaire du terrain visé.
  10. Dans l'affirmative à l'article 9, la date de la cession, le nom du cessionnaire et l'utilisation du sol sur le terrain morcelé.
  11. Une mention indiquant, si ces renseignements sont connus, si le terrain visé fait l'objet d'une autre demande aux termes de la Loi, telle une demande de modification d'un plan officiel, une demande de règlement municipal de zonage, une demande d'arrêté ministériel de zonage, une demande de dérogation mineure, une demande d'approbation d'un plan de lotissement ou une demande d'autorisation.
  12. Dans l'affirmative à l'article 11, si ces renseignements sont connus, le numéro de dossier de la demande et l'état de la demande.
  13. Un croquis indiquant :
    - i. Les limites et les dimensions des terrains attenants au terrain visé, dont le propriétaire est également propriétaire du terrain visé.
    - ii. La distance entre le terrain visé et la ligne du lot de terrain du canton la plus rapprochée ou tout autre point de repère le plus rapproché tel un pont ou un passage à niveau.
    - iii. Les limites et les dimensions du terrain visé, de la partie du terrain dont le morcellement est projeté et de celle devant être conservée.
    - iv. L'emplacement de toute partie du terrain déjà morcelée à partir de la parcelle initialement acquise par le propriétaire actuel du terrain visé.
    - v. L'emplacement approximatif de toutes les particularités naturelles et artificielles du terrain visé et des terrains adjacents, lesquelles peuvent avoir, de l'avis de l'auteur de la demande, une incidence sur la demande, telles que les bâtiments, les voies ferrées, les chemins, les cours d'eau, les fossés de drainage, les berges, les terres marécageuses, les zones boisées, les puits et les fosses septiques.
    - vi. Les utilisations actuelles des terrains adjacents, telle l'utilisation à des fins résidentielles, agricoles et commerciales.



- vii. L'emplacement, la largeur et la désignation des chemins sur le terrain visé, ou attenant à celui-ci, et une mention indiquant s'il s'agit d'emplacements affectés à une route non ouverte à la circulation, de chemins publics fréquentés, de chemins privés ou de droits de passage.
- viii. Si le terrain visé sera accessible par voie d'eau uniquement, l'emplacement des parcs de stationnement et des débarcadères dont l'utilisation est projetée.
- ix. L'emplacement et la nature de toute servitude grevant le terrain visé.
- 14. Si l'auteur de la demande n'est pas le propriétaire du terrain visé, l'autorisation écrite du propriétaire portant que l'auteur de la demande est autorisé à présenter la demande.
- 15. Un affidavit ou une déclaration sous serment, souscrit par l'auteur de la demande, attestant l'exactitude des renseignements exigés par la présente annexe et fournis par l'auteur de la demande.

#### Formule 1

*Loi sur l'aménagement du territoire*

#### CERTIFICAT DU FONCTIONNAIRE

En vertu du paragraphe 53 (42) de la *Loi sur l'aménagement du territoire*, je certifie que l'autorisation de

.....  
(autorité approbatrice)

du ..... de ..... a été accordée  
le ..... 19.... relativement à l'opération visée  
par le présent acte.

.....  
(Fonctionnaire)

Fait le ..... 19....

## Formule 2

*Loi sur l'aménagement du territoire*

## CERTIFICAT DU FONCTIONNAIRE

En vertu du paragraphe 53 (42) de la Loi sur l'aménagement  
du territoire, je certifie que l'autorisation de

.....  
(autorité approbatrice)

du ..... de .....

a été accordée le ..... 19....

relativement à .....  
(indiquer le type d'opération,

.....  
p. ex. : cession, hypothèque)

portant sur le terrain suivant (donner une description complète  
du terrain faisant l'objet de l'autorisation) : .....

.....  
(Fonctionnaire)

Fait le ..... 19....



## Formule 3

*Loi sur l'aménagement du territoire*

## CERTIFICAT DU FONCTIONNAIRE

En vertu du paragraphe 53 (42) de la *Loi sur l'aménagement du territoire*, je certifie que l'autorisation de

.....  
(autorité approbatrice)

du ..... de ..... a été accordée  
le ..... 19.... relativement à l'opération  
visée par le présent acte.

Le paragraphe ..... de la  
(50 (3) ou (5), selon le cas)  
*Loi sur l'aménagement du territoire* s'applique à toute cession ou  
opération subséquente à l'égard de la parcelle de terrain faisant  
l'objet de la présente autorisation.

.....  
(Fonctionnaire)

Fait le ..... 19....

## Formule 4

*Loi sur l'aménagement du territoire*

## CERTIFICAT DU FONCTIONNAIRE

En vertu du paragraphe 53 (42) de la *Loi sur l'aménagement du territoire*, je certifie que l'autorisation de

.....  
(autorité approbatrice)

du ..... de ..... a été accordée

le ..... 19.... relativement à .....

.....  
(indiquer le type d'opération, p. ex. : cession, hypothèque)

portant sur le terrain suivant (donner une description complète  
du terrain faisant l'objet de l'autorisation) : .....

.....

Le paragraphe ..... de la  
(50 (3) ou (5), selon le cas)

*Loi sur l'aménagement du territoire* s'applique à toute cession ou  
opération subséquente à l'égard de la parcelle de terrain faisant  
l'objet de la présente autorisation.

.....  
(Fonctionnaire)

Fait le ..... 19....

AL LEACH  
*Minister of Municipal Affairs and Housing*  
*Ministre des Affaires municipales et du Logement*

Dated at Toronto on October 31, 1996.  
Fait à Toronto le 31 octobre 1996.



**ONTARIO REGULATION 493/96**  
made under the  
**PLANNING ACT**

Made: October 31, 1996  
Filed: November 1, 1996

Amending O. Reg. 196/96  
(Plans of Subdivision)

Note: Ontario Regulation 196/96 has not been previously amended.

1. Ontario Regulation 196/96 is amended by adding the following French version:

**PLANS DE LOTISSEMENT**

1. Les définitions qui suivent s'appliquent au présent règlement.

«fonctionnaire» S'entend :

- a) du secrétaire de la municipalité, lorsque l'autorité approbatrice est le conseil de la municipalité, un comité d'un conseil ou un fonctionnaire nommé;
- b) du secrétaire-trésorier de l'office d'aménagement municipal, lorsque l'autorité approbatrice est un office d'aménagement municipal, un comité d'un tel office ou un fonctionnaire nommé;
- c) du secrétaire-trésorier du conseil d'aménagement, lorsque l'autorité approbatrice est un conseil d'aménagement;
- d) d'un employé du ministère des Affaires municipales et du Logement, lorsque l'autorité approbatrice est le ministre. («official»)

«réserve» S'entend d'une parcelle de terrain dont la Couronne du chef du Canada est propriétaire en common law et qu'elle a mise de côté à l'usage et au profit d'une première nation. («reserve»)

2. Les renseignements et documents que l'auteur de la demande doit fournir aux termes du paragraphe 51 (17) de la Loi sont indiqués à l'annexe.

3. (1) L'avis prévu à l'alinéa 51 (20) a) de la Loi concernant une demande d'approbation d'un plan de lotissement est donné conformément au paragraphe (2), (3) ou (4), mais nul n'est besoin qu'il soit donné conformément à plus d'un de ces paragraphes.

(2) L'avis visé au paragraphe (1) peut être donné de la façon suivante :

- 1. D'une part, par signification à personne ou par courrier affranchi de la première classe à chaque propriétaire de terrain situé dans un rayon de 120 mètres de la zone visée par le plan de lotissement proposé et à chaque propriétaire de terrain situé dans un rayon de 120 mètres du terrain qui est attenant à la zone visée par le plan de lotissement proposé et dont le propriétaire est également propriétaire du terrain faisant l'objet du plan de lotissement proposé. Toutefois, si un ensemble de condominiums est situé dans un rayon de 120 mètres de la zone, l'avis peut être donné à l'association condominiale, à son plus récent domicile élu ou à sa plus récente adresse postale enregistrés aux termes de l'article 3 de la *Loi sur les condominiums*, au lieu d'être donné à tous les propriétaires inscrits au rôle d'imposition à l'égard de l'ensemble de condominiums.

**RÈGLEMENT DE L'ONTARIO 493/96**  
pris en application de la  
**LOI SUR L'AMÉNAGEMENT DU TERRITOIRE**

pris le 31 octobre 1996  
déposé le 1<sup>er</sup> novembre 1996

modifiant le Règl. de l'Ont. 196/96  
(Plans de lotissement)

Remarque : Le Règlement de l'Ontario 196/96 n'a été modifié antérieurement.

1. Le Règlement de l'Ontario 196/96 est modifié par adjonction de la version française suivante :

- 2. D'autre part, par affichage d'un avis de la demande facilement visible et lisible de la voie publique ou de tout autre endroit accessible au public, sur chaque bien-fonds faisant l'objet d'une imposition distincte dans la zone visée par le plan de lotissement proposé ou, si l'affichage y est difficile, à un endroit rapproché choisi par le fonctionnaire.

(3) L'avis visé au paragraphe (1) peut être donné par signification à personne ou par courrier affranchi de la première classe à chaque personne inscrite au rôle d'imposition à l'égard de terrains situés dans un rayon de 120 mètres de la zone visée par le plan de lotissement proposé et à chaque personne inscrite au rôle d'imposition à l'égard de terrains situés dans un rayon de 120 mètres du terrain qui est attenant à la zone visée par le plan de lotissement proposé et dont le propriétaire est également propriétaire du terrain faisant l'objet du plan de lotissement proposé.

(4) L'avis visé au paragraphe (1) peut être donné par publication dans un journal dont la diffusion est, de l'avis du fonctionnaire, assez grande dans la zone contiguë à celle faisant l'objet du plan de lotissement proposé pour que le public reçoive un avis raisonnable de la demande.

(5) Pour l'application des paragraphes (2) et (3), les propriétaires de terrains ou les personnes inscrites au rôle d'imposition à l'égard de terrains sont réputés être les personnes dont l'adresse figure au dernier rôle d'imposition révisé de la municipalité ou au rôle d'impôt foncier provincial qui est en vigueur. Toutefois, si l'autorité approbatrice est une municipalité et que le secrétaire de celle-ci a reçu un avis écrit du changement de propriété ou d'occupation d'un terrain, l'avis est donné plutôt au nouveau propriétaire ou au nouvel occupant à l'adresse indiquée dans l'avis.

(6) Chaque personne et chaque organisme public qui a présenté à l'autorité approbatrice une demande écrite pour recevoir l'avis prévu à l'alinéa 51 (20) a) de la Loi concernant une demande d'approbation d'un plan de lotissement reçoit cet avis par signification à personne, par courrier affranchi de la première classe ou par télécopie.

(7) La demande écrite visée au paragraphe (6) indique l'adresse de la personne ou de l'organisme public.

(8) L'avis prévu à l'alinéa 51 (20) a) de la Loi concernant une demande d'approbation d'un plan de lotissement est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie aux personnes et organismes publics suivants, sauf s'ils ont avisé l'autorité approbatrice qu'ils ne désirent pas recevoir d'avis :

- 1. Le secrétaire de chaque municipalité locale ou le secrétaire-trésorier de chaque office d'aménagement municipal ou de chaque conseil d'aménagement ayant compétence dans la zone visée par le plan de lotissement proposé.



2. Le secrétaire de chaque comté et de chaque municipalité régionale, de communauté urbaine ou de district ayant compétence dans la zone visée par le plan de lotissement proposé.
3. Le secrétaire de chaque conseil scolaire ayant compétence dans la zone visée par le plan de lotissement proposé.
4. Le secrétaire-trésorier de chaque office de protection de la nature ayant compétence dans la zone visée par le plan de lotissement proposé.
5. Le secrétaire de chaque personne morale, notamment une municipalité, exploitant des services d'électricité dans la municipalité locale ou la zone d'aménagement visée par le plan de lotissement proposé.
6. Le coordonnateur du lotissement, «Grid System Real Estate», d'Ontario Hydro.
7. Le secrétaire de chaque société exploitant des services de distribution de gaz naturel dans la municipalité locale ou la zone d'aménagement visée par le plan de lotissement proposé.
8. Le secrétaire de chaque société exploitant un oléoduc ou un pipeline pour gaz naturel dans la municipalité locale ou la zone d'aménagement visée par le plan de lotissement proposé.
9. Le président ou le secrétaire du comité consultatif local pour la conservation de l'architecture, le cas échéant, si la zone visée par le plan de lotissement proposé comprend un bien-fonds ou un district désigné en vertu de la partie IV ou V de la *Loi sur le patrimoine de l'Ontario*, ou est contiguë à un tel bien-fonds ou district.
10. Si le terrain visé par le plan de lotissement proposé est situé dans la zone visée par le plan de l'escarpement du Niagara, ou y est contigu :
  - i. d'une part, l'urbaniste principal du bureau de district de la Commission de l'escarpement du Niagara ayant compétence sur ce terrain,
  - ii. d'autre part, l'urbaniste principal du bureau de district de la Commission de l'escarpement du Niagara ayant compétence dans la zone contiguë au terrain visé par le plan de lotissement proposé.
11. La Commission des parcs du Niagara, si une partie du terrain visé par le plan de lotissement proposé est contiguë à la promenade du Niagara ou relève de la compétence de la Commission.
12. La Commission des parcs du Saint-Laurent, si une partie de la zone visée par le plan de lotissement proposé est contiguë à la promenade des Mille-Îles et relève de la compétence de la Commission en vertu de l'article 9 de la *Loi sur la Commission des parcs du Saint-Laurent*.
13. Le secrétaire de chaque municipalité et le secrétaire-trésorier de chaque office d'aménagement municipal ou de chaque conseil d'aménagement, si une partie de la municipalité, de la zone d'aménagement municipal ou de la zone d'aménagement est située dans un rayon d'un kilomètre de la zone visée par le plan de lotissement proposé.
14. Le chef de chaque conseil de première nation, si la première nation se trouve sur une réserve dont une partie est située dans un rayon d'un kilomètre de la zone visée par le plan de lotissement proposé.

(9) Lorsque l'autorité approbatrice d'un plan de lotissement proposé n'est pas le ministre, l'avis prévu à l'alinéa 51 (20) a) de la Loi concernant une demande d'approbation d'un plan de lotissement est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, si le directeur a demandé par écrit à l'autorité approbatrice de lui donner de tels avis.

(10) L'avis concernant une demande d'approbation d'un plan de lotissement comprend ce qui suit :

1. Une description du plan de lotissement proposé.
2. Une description du terrain ou une carte-index indiquant l'emplacement du terrain dont le lotissement est proposé.
3. L'endroit et le moment où des renseignements additionnels concernant le plan de lotissement proposé seront mis à la disposition du public aux fins de consultation.
4. La mention suivante :

Si une personne ou un organisme public qui interjette appel d'une décision de (*nom de l'autorité approbatrice*) relativement au plan de lotissement proposé ne présente pas d'observations orales lors de la réunion publique, le cas échéant, ou ne présente pas d'observations écrites à (*nom de l'autorité approbatrice*) avant que le plan de lotissement proposé ne soit approuvé ou refusé, la Commission des affaires municipales de l'Ontario peut rejeter l'appel.

5. La mention suivante :

Si vous désirez être avisé(e) de la décision de (*nom de l'autorité approbatrice*) relativement au présent plan de lotissement proposé, vous devez présenter une demande écrite à (*nom et adresse de l'autorité approbatrice*).

6. Si le terrain dont le lotissement est proposé fait l'objet, aux termes de la Loi, d'une demande de modification d'un plan officiel, d'une demande de règlement municipal de zonage, d'une demande d'arrêté ministériel de zonage ou d'une demande de dérogation mineure, et si ces renseignements sont connus, une mention à cet effet ainsi que le numéro de dossier de la demande.

(11) L'avis donné aux personnes et aux organismes publics énumérés aux paragraphes (8) et (9) comprend également une copie de la demande.

(12) Lorsqu'une municipalité locale ou un conseil d'aménagement donne un avis concernant une demande d'approbation d'un plan de lotissement sur demande d'une autorité approbatrice présentée en vertu du paragraphe 51 (21) de la Loi, l'autorité approbatrice peut demander à la municipalité locale ou au conseil d'aménagement d'indiquer dans l'avis visé au paragraphe (8) que les commentaires écrits doivent être présentés à l'autorité approbatrice.

(13) Malgré le paragraphe (10), l'avis qui est donné par affichage sur le bien-fonds comprend ce qui suit :

1. Une description du plan de lotissement proposé.
2. L'endroit et le moment où des renseignements additionnels concernant le plan de lotissement proposé seront mis à la disposition du public aux fins de consultation.
3. La façon d'obtenir une copie de l'avis écrit de la demande.

4. (1) Si le terrain faisant l'objet d'une demande d'approbation d'un plan de lotissement en vertu du paragraphe 51 (16) de la Loi est situé dans une municipalité ou dans la zone d'aménagement d'un conseil d'aménagement, l'autorité approbatrice fait en sorte que soit tenue la réunion publique visée à l'alinéa 51 (20) b) de la Loi.



(2) Les paragraphes 3 (1) à (9) s'appliquent, avec les adaptations nécessaires, à la remise de l'avis de la tenue de la réunion publique visée au paragraphe (1).

(3) L'avis de la tenue d'une réunion publique comprend ce qui suit :

1. Les date, heure et lieu de la réunion.
2. Une description du plan de lotissement proposé.
3. Une description du terrain ou une carte-index indiquant l'emplacement du terrain dont le lotissement est proposé.
4. La mention suivante :

Si une personne ou un organisme public qui interjette appel d'une décision de (*nom de l'autorité approbatrice*) relativement au plan de lotissement proposé ne présente pas d'observations orales lors de la réunion publique, le cas échéant, ou ne présente pas d'observations écrites à (*nom de l'autorité approbatrice*) avant que le plan de lotissement proposé ne soit approuvé ou refusé, la Commission des affaires municipales de l'Ontario peut rejeter l'appel.

(4) Malgré le paragraphe (3), l'avis de la tenue d'une réunion publique qui est donné par affichage sur le bien-fonds comprend ce qui suit :

1. Les date, heure et lieu de la réunion.
2. Une description du plan de lotissement proposé.
3. L'endroit et le moment où des renseignements additionnels concernant le plan de lotissement proposé seront mis à la disposition du public aux fins de consultation.
4. La façon d'obtenir une copie de l'avis écrit de la tenue de la réunion.
5. La réunion publique visée à l'article 4 se tient au plus tôt 14 jours après que les exigences relatives à la remise de l'avis ont été observées.

6. Lorsqu'une municipalité locale ou un conseil d'aménagement donne un avis concernant une demande d'approbation d'un plan de lotissement sur demande d'une autorité approbatrice présentée en vertu du paragraphe 51 (21) de la Loi, la municipalité locale ou le conseil d'aménagement présente à cette dernière :

1. D'une part, une copie certifiée conforme de l'avis écrit de la demande.
2. D'autre part, un affidavit ou une déclaration sous serment, souscrit par un employé de la municipalité locale ou du conseil d'aménagement, attestant que les exigences relatives à la remise de l'avis de la demande visé à l'alinéa 51 (20) a) de la Loi ont été observées.
7. Lorsqu'une municipalité locale ou un conseil d'aménagement tient une réunion publique sur demande d'une autorité approbatrice présentée en vertu du paragraphe 51 (21) de la Loi, la municipalité locale ou le conseil d'aménagement présente à cette dernière :
  1. L'original ou une copie des observations et commentaires écrits qui sont reçus par la municipalité locale ou le conseil d'aménagement au plus tard à la date de la tenue de la réunion.

2. Un affidavit ou une déclaration sous serment, souscrit par un employé de la municipalité locale ou du conseil d'aménagement, attestant que les exigences relatives à la remise de l'avis de la tenue de la réunion publique et à la tenue de celle-ci, visés à l'alinéa 51 (20) b) de la Loi, ont été observées.

3. Un affidavit ou une déclaration sous serment, souscrit par un employé de la municipalité locale ou du conseil d'aménagement, énumérant les personnes et les organismes publics qui ont présenté des observations orales lors de la réunion.

4. Une copie du procès-verbal de la réunion, le cas échéant.

8. Le dossier que l'autorité approbatrice doit faire constituer et transmettre à la Commission des affaires municipales aux termes de l'alinéa 51 (35) a) de la Loi contient ce qui suit :

1. L'original ou une copie certifiée conforme de la demande que l'autorité approbatrice a reçue.

2. L'original ou une copie certifiée conforme de l'avis d'appel et la date de sa réception.

3. L'original ou une copie des observations et commentaires écrits qui sont reçus.

4. Lorsque la municipalité locale ou le conseil d'aménagement donne un avis concernant une demande d'approbation d'un plan de lotissement, l'affidavit ou la déclaration sous serment qui a été présenté à l'autorité approbatrice aux termes de la disposition 2 de l'article 6.

5. Lorsque l'autorité approbatrice donne un avis concernant une demande d'approbation d'un plan de lotissement, un affidavit ou une déclaration sous serment, souscrit par un de ses employés, attestant que les exigences relatives à la remise de l'avis visé à l'alinéa 51 (20) a) de la Loi ont été observées.

6. Lorsque la municipalité locale ou le conseil d'aménagement donne un avis de la tenue d'une réunion publique et tient cette réunion, l'affidavit ou la déclaration sous serment qui a été présenté à l'autorité approbatrice aux termes de la disposition 2 de l'article 7.

7. Lorsque l'autorité approbatrice donne un avis de la tenue d'une réunion publique et tient cette réunion, un affidavit ou une déclaration sous serment, souscrit par un de ses employés, attestant que les exigences relatives à la remise de l'avis de la tenue de la réunion et à la tenue de celle-ci, visés à l'alinéa 51 (20) b) de la Loi, ont été observées.

8. Lorsque la municipalité locale ou le conseil d'aménagement tient la réunion publique, l'affidavit ou la déclaration sous serment qui a été présenté à l'autorité approbatrice aux termes de la disposition 3 de l'article 7.

9. Lorsque l'autorité approbatrice tient la réunion publique, un affidavit ou une déclaration sous serment, souscrit par un de ses employés, énumérant les personnes et les organismes publics qui ont présenté des observations orales lors de la réunion.

10. Une copie du procès-verbal de la réunion publique, le cas échéant.

11. Une copie de tout rapport en matière d'aménagement étudié par l'autorité approbatrice.

9. (1) L'avis de la décision d'une autorité approbatrice prévu au paragraphe 51 (37) de la Loi comprend ce qui suit :



1. Une copie de la décision de l'autorité approbatrice, y compris les conditions et la disposition relative à la caducité, le cas échéant.
2. Le dernier jour où peut être déposé un avis d'appel de la décision de l'autorité approbatrice, et une mention indiquant que l'avis d'appel doit être déposé auprès de l'autorité approbatrice, doit indiquer les motifs à l'appui et doit être accompagné des droits exigés par la Commission des affaires municipales de l'Ontario.
3. Une mention indiquant que l'auteur de la demande ou tout organisme public peut, avant l'approbation du plan de lotissement définitif, interjeter appel devant la Commission des affaires municipales de l'Ontario des conditions imposées par l'autorité approbatrice en déposant un avis d'appel auprès de celle-ci.
4. Le cas échéant, la mention suivante :

Vous aurez le droit de recevoir un avis des modifications apportées aux conditions d'approbation du plan de lotissement proposé si vous avez fait une demande par écrit à cet effet.

5. La mention suivante :

Seuls les particuliers, les personnes morales ou les organismes publics peuvent interjeter appel des décisions relatives à un plan de lotissement proposé devant la Commission des affaires municipales de l'Ontario. Les associations ou les groupes sans personnalité morale ne peuvent pas déposer d'avis d'appel. Toutefois, un avis d'appel peut être déposé au nom d'un particulier qui est membre de l'association ou du groupe pour le compte de l'une ou l'autre.

6. Si le terrain dont le lotissement est proposé fait l'objet, aux termes de la Loi, d'une demande de modification d'un plan officiel, d'une demande de règlement municipal de zonage, d'une demande d'arrêté ministériel de zonage ou d'une demande de dérogation mineure, et si ces renseignements sont connus, une mention à cet effet ainsi que le numéro de dossier de la demande.

(2) Lorsque l'autorité approbatrice d'un plan de lotissement proposé n'est pas le ministre, l'avis de la décision d'une autorité approbatrice prévu au paragraphe 51 (37) de la Loi est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, si le directeur a demandé par écrit à l'autorité approbatrice de lui donner de tels avis.

10. (1) L'avis prévu au paragraphe 51 (45) de la Loi concernant les modifications apportées aux conditions d'approbation d'un plan de lotissement comprend ce qui suit :

1. Une copie des modifications qu'il est proposé d'apporter aux conditions d'approbation de l'ébauche.
2. Une mention indiquant que l'auteur de la demande ou tout organisme public peut, avant l'approbation du plan de lotissement définitif, interjeter appel devant la Commission des affaires municipales de l'Ontario des conditions d'approbation de l'ébauche en déposant un avis d'appel auprès de l'autorité approbatrice.
3. Le dernier jour où peut être déposé un avis d'appel relativement aux conditions d'approbation de l'ébauche, et une mention indiquant que l'avis d'appel doit être déposé auprès de l'autorité approbatrice, doit indiquer les motifs à l'appui et doit être accompagné des droits exigés par la Commission des affaires municipales de l'Ontario.

4. La mention suivante :

Seuls les particuliers, les personnes morales ou les organismes publics peuvent interjeter appel des décisions relatives à un plan de lotissement proposé devant la Commission des affaires municipales de l'Ontario. Les associations ou les groupes sans personnalité morale ne peuvent pas déposer d'avis d'appel. Toutefois, un avis d'appel peut être déposé au nom d'un particulier qui est membre de l'association ou du groupe pour le compte de l'une ou l'autre.

(2) Lorsque l'autorité approbatrice d'un plan de lotissement proposé n'est pas le ministre, l'avis des modifications apportées aux conditions d'approbation d'un plan de lotissement, prévu au paragraphe 51 (45) de la Loi, est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, si le directeur a demandé par écrit à l'autorité approbatrice de lui donner de tels avis.

11. Le dossier que l'autorité approbatrice doit faire constituer et envoyer à la Commission des affaires municipales aux termes de l'alinéa 51 (50) a) de la Loi contient ce qui suit :

1. Les renseignements et documents indiqués à l'article 8.
2. Une copie de la décision de l'autorité approbatrice, y compris les conditions et la disposition relative à la caducité, le cas échéant.
3. Le cas échéant, un affidavit ou une déclaration sous serment, souscrit par un employé de l'autorité approbatrice, attestant que les exigences relatives à la remise de l'avis de la décision visé au paragraphe 51 (37) de la Loi ont été observées.
4. Le cas échéant, une copie des modifications qu'il est proposé d'apporter aux conditions d'approbation de l'ébauche.
5. Le cas échéant, un affidavit ou une déclaration sous serment, souscrit par un employé de l'autorité approbatrice, attestant que les exigences relatives à la remise de l'avis des modifications apportées aux conditions visé au paragraphe 51 (45) de la Loi ont été observées.

12. Les articles 3 à 7 ne s'appliquent pas aux demandes d'approbation d'une description de condominium.

13. (1) Les Règlements de l'Ontario 43/95, 140/95 et 287/95 sont abrogés.

(2) Malgré l'abrogation des règlements visés au présent article, le traitement des demandes d'approbation d'un plan de lotissement visées à l'article 51 de la Loi qui, aux termes de l'article 75 de la Loi, étaient réputées avoir été introduites avant le 22 mai 1996 se poursuit comme si les règlements n'avaient pas été abrogés.

#### Annexe

#### RENSEIGNEMENTS ET DOCUMENTS DEVANT ÊTRE FOURNIS À L'APPUI DE LA DEMANDE VISÉE AU PARAGRAPHE 51 (17) DE LA LOI

1. Les nom, adresse et numéro de téléphone du propriétaire du terrain visé et, si l'auteur de la demande est le mandataire autorisé du propriétaire, ceux du mandataire.
2. La description du terrain visé, tels la municipalité ou le canton géographique dans un territoire non érigé en municipalité, le numéro de la concession et des lots, le numéro du plan de renvoi et des parties, et le numéro et le nom de la rue.



3. Le cas échéant, la description et l'effet des servitudes ou des clauses restrictives grevant le terrain visé.
4. Une mention indiquant, si ces renseignements sont connus, si le terrain visé a déjà fait l'objet d'une demande d'approbation d'un plan de lotissement en vertu de l'article 51 de la Loi ou d'une demande d'autorisation en vertu de l'article 53 de la Loi; dans l'affirmative, si ces renseignements sont connus, le numéro de dossier de la demande et la décision prise à l'égard de celle-ci.
5. Le nombre d'unités ou de logements pour chacune des utilisations suivantes et le nombre total d'unités ou de logements : habitation unifamiliale, logements jumelés, habitations multiples, appartement, habitation saisonnière, maison mobile, autre utilisation résidentielle, utilisation commerciale, utilisation industrielle, utilisation institutionnelle ou autres utilisations.
6. Le nombre de lots ou de pièces figurant sur l'ébauche du plan pour chacune des utilisations suivantes et le nombre total de lots ou de pièces : habitation unifamiliale, logements jumelés, habitations multiples, appartement, habitation saisonnière, maison mobile, autre utilisation résidentielle, utilisation commerciale, utilisation industrielle, parc ou aire ouverte, utilisation institutionnelle, chemins ou autres utilisations.
7. La superficie de terrain, exprimée en hectares, pour chacune des utilisations suivantes et la superficie de terrain totale : habitation unifamiliale, logements jumelés, habitations multiples, appartement, habitation saisonnière, maison mobile, autre utilisation résidentielle, utilisation commerciale, utilisation industrielle, parc ou aire ouverte, utilisation institutionnelle, chemins ou autres utilisations.
8. Le nombre d'unités ou de logements, par hectare, pour chacune des utilisations suivantes et le nombre total d'unités ou de logements par hectare : habitation unifamiliale, logements jumelés, habitations multiples, appartement, habitation saisonnière, maison mobile, autre utilisation résidentielle, utilisation commerciale, utilisation industrielle, utilisation institutionnelle et autres utilisations.
9. Le nombre d'espaces de stationnement pour chacune des utilisations suivantes et le nombre total d'espaces de stationnement : habitations multiples, appartement, habitation saisonnière, maison mobile, autre utilisation résidentielle, utilisation commerciale, utilisation industrielle, utilisation institutionnelle et autres utilisations, et le nombre d'espaces de stationnement pour les habitations unifamiliales et les logements jumelés lorsqu'il s'agit d'une demande d'approbation d'une description de condominium.
10. La description de l'utilisation, si l'une des utilisations envisagées qui sont mentionnées à l'article 5, 6, 7, 8 ou 9 est «autre utilisation résidentielle», «utilisation institutionnelle» ou «autres utilisations».
11. La désignation actuelle du terrain sur le plan officiel applicable.
12. Une mention indiquant, si ces renseignements sont connus, si le terrain visé fait l'objet d'une autre demande aux termes de la Loi, telle une demande de modification d'un plan officiel, une demande de règlement municipal de zonage, une demande d'arrêté ministériel de zonage, une demande de dérogation mineure, une demande d'autorisation ou une demande d'approbation d'un plan d'implantation.
13. Dans l'affirmative à l'article 12, si ces renseignements sont connus, le numéro de dossier de la demande et l'état de la demande.
14. Une mention indiquant si le terrain sera accessible par une voie publique provinciale, un chemin municipal entretenu toute l'année ou de façon saisonnière, un autre chemin public, un droit de passage, ou encore par voie d'eau.
15. Si le terrain visé sera accessible par voie d'eau uniquement, les parcs de stationnement et les débarcadères dont l'utilisation est projetée, et la distance appropriée les séparant du terrain visé et du chemin public le plus rapproché.
16. Une mention indiquant si l'eau sera fournie par un système public d'approvisionnement en eau, par un puits individuel ou communautaire appartenant à des intérêts privés qui en assurent le fonctionnement, par un lac ou une autre étendue d'eau, ou par un autre moyen.
17. Une mention indiquant si l'évacuation des eaux d'égout sera assurée par un système public d'égouts séparatifs, par un système septique individuel ou communautaire appartenant à des intérêts privés qui en assurent le fonctionnement, ou par un autre moyen.
18. Une mention indiquant si l'évacuation des eaux pluviales sera assurée par des égouts, des fossés, des rigoles de drainage ou un autre dispositif.
19. Dans le cas d'une demande d'approbation d'une description de condominium :
  - i. Une mention indiquant si un plan d'implantation relatif au condominium projeté a été approuvé et si un accord de plan d'implantation a été conclu.
  - ii. Une mention indiquant si un permis de construire a été délivré à l'égard du condominium projeté.
  - iii. Une mention indiquant si le condominium projeté est construit ou en voie de construction.
  - iv. Le cas échéant, la date à laquelle les travaux de construction du condominium ont été terminés.
  - v. Une mention indiquant si le condominium projeté est une transformation d'un immeuble qui comporte des unités de location résidentielle, et le nombre d'unités devant être transformées.
20. Si l'auteur de la demande n'est pas le propriétaire du terrain visé, l'autorisation écrite du propriétaire portant que l'auteur de la demande est autorisé à présenter la demande.



21. Un affidavit ou une déclaration sous serment, souscrit par l'auteur de la demande, attestant l'exactitude des renseignements exigés par la présente annexe et fournis par l'auteur de la demande.

AL LEACH  
Minister of Municipal Affairs and Housing  
Ministre des Affaires municipales et du Logement

Dated at Toronto on October 31, 1996.  
Fait à Toronto le 31 octobre 1996.

46/96

**ONTARIO REGULATION 494/96**  
made under the  
**PLANNING ACT**

Made: October 31, 1996  
Filed: November 1, 1996

Amending O. Reg. 198/96  
(Official Plans of and Plan Amendments)

Note: Ontario Regulation 198/96 has not been previously amended.

1. Ontario Regulation 198/96 is amended by adding the following French version:

**RÈGLEMENT DE L'ONTARIO 494/96**  
pris en application de la  
**LOI SUR L'AMÉNAGEMENT DU TERRITOIRE**

pris le 31 octobre 1996  
déposé le 1<sup>er</sup> novembre 1996

modifiant le Règl. de l'Ont. 198/96  
(Plans officiels et modifications de plans officiels)

Remarque : Le Règlement de l'Ontario 198/96 n'a été modifié antérieurement.

1. Le Règlement de l'Ontario 198/96 est modifié par adjonction de la version française suivante :

**PLANS OFFICIELS ET MODIFICATIONS DE  
PLANS OFFICIELS**

1. La définition qui suit s'applique au présent règlement.

«réserve» S'entend d'une parcelle de terrain dont la Couronne du chef du Canada est propriétaire en common law et qu'elle a mise de côté à l'usage et au profit d'une première nation. («reserve»)

2. (1) L'avis prévu à l'alinéa 17 (15) c) de la Loi concernant la tenue d'une réunion publique visant à informer le public sur un plan officiel ou la modification d'un plan officiel qui est proposé est donné conformément au paragraphe (2), (3) ou (4), mais nul n'est besoin qu'il soit donné conformément à plus d'un de ces paragraphes.

(2) L'avis visé au paragraphe (1) peut être donné de la façon suivante :

1. D'une part, par signification à personne ou par courrier affranchi de la première classe à chaque propriétaire de terrain situé dans un rayon de 120 mètres de la zone visée par le plan officiel ou la modification de plan officiel qui est proposé. Toutefois, si un ensemble de condominiums est situé dans un rayon de 120 mètres de la zone, l'avis peut être donné à l'association condominiale, à son plus récent domicile élu ou à sa plus récente adresse postale enregistrés aux termes de l'article 3 de la *Loi sur les condominiums*, au lieu d'être donné à tous les propriétaires inscrits au rôle d'imposition à l'égard de l'ensemble de condominiums.

2. D'autre part, par affichage d'un avis de la tenue de la réunion facilement visible et lisible de la voie publique ou de tout autre endroit accessible au public, sur chaque bien-fonds faisant l'objet d'une imposition distincte dans la zone visée par le plan officiel ou la modification de plan officiel qui est proposé ou, si l'affichage y est difficile, à un endroit rapproché choisi par le secrétaire de la municipalité ou le secrétaire-trésorier du conseil d'aménagement.

(3) L'avis visé au paragraphe (1) peut être donné par signification à personne ou par courrier affranchi de la première classe à chaque personne inscrite au rôle d'imposition à l'égard de terrains situés dans un rayon de 120 mètres de la zone visée par le plan officiel ou la modification de plan officiel qui est proposé.

(4) L'avis visé au paragraphe (1) peut être donné par publication dans un journal dont la diffusion est, de l'avis du secrétaire de la municipalité ou du secrétaire-trésorier du conseil d'aménagement, assez grande dans la zone visée par le plan officiel ou la modification de plan officiel qui est proposé pour que le public reçoive un avis raisonnable de la tenue de la réunion publique.

(5) Pour l'application des paragraphes (2) et (3), les propriétaires de terrains ou les personnes inscrites au rôle d'imposition à l'égard de terrains sont réputés être les personnes dont l'adresse figure au dernier rôle d'imposition révisé de la municipalité ou au rôle d'impôt foncier provincial qui est en vigueur. Toutefois, si le terrain est situé dans une municipalité et que le secrétaire de celle-ci a reçu un avis écrit du changement de propriété ou d'occupation du terrain, l'avis est donné plutôt au nouveau propriétaire ou au nouvel occupant à l'adresse indiquée dans l'avis.



(6) Chaque personne et chaque organisme public qui a présenté au secrétaire de la municipalité ou au secrétaire-trésorier du conseil d'aménagement une demande écrite pour recevoir un avis concernant la tenue d'une réunion publique portant sur un plan officiel ou la modification d'un plan officiel qui est proposé reçoit cet avis par signification à personne, par courrier affranchi de la première classe ou par télécopie.

(7) La demande écrite visée au paragraphe (6) indique l'adresse de la personne ou de l'organisme public.

(8) L'avis prévu à l'alinéa 17 (15) c) de la Loi concernant la tenue d'une réunion publique visant à informer le public sur un plan officiel ou la modification d'un plan officiel qui est proposé est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie aux personnes et organismes publics suivants, sauf s'ils ont avisé le secrétaire de la municipalité ou le secrétaire-trésorier du conseil d'aménagement qu'ils ne désirent pas recevoir de tels avis :

1. Le secrétaire de l'autorité approbatrice à l'égard du plan officiel ou de la modification de plan officiel qui est proposé, si l'autorité approbatrice n'est pas le ministre.
2. Le secrétaire de chaque municipalité ou le secrétaire-trésorier de chaque office d'aménagement municipal ayant compétence dans la zone visée par le plan officiel ou la modification de plan officiel qui est proposé.
3. Le secrétaire de chaque conseil scolaire ayant compétence dans la zone visée par le plan officiel ou la modification de plan officiel qui est proposé.
4. Le secrétaire-trésorier de chaque office de protection de la nature ayant compétence dans la zone visée par le plan officiel ou la modification de plan officiel qui est proposé.
5. Le secrétaire de chaque société exploitant des services de distribution de gaz naturel dans la municipalité locale ou la zone d'aménagement visée par le plan officiel ou la modification de plan officiel qui est proposé.
6. Le secrétaire de chaque société exploitant un oléoduc ou un pipeline pour gaz naturel dans la municipalité locale ou la zone d'aménagement visée par le plan officiel ou la modification de plan officiel qui est proposé.
7. Le responsable de la planification, «Corporate Real Estate Division», d'Ontario Hydro.
8. Si le terrain visé par le plan officiel ou la modification de plan officiel qui est proposé est situé dans la zone visée par le plan de l'escarpement du Niagara, ou y est attenant :
  - i. d'une part, l'urbaniste principal du bureau de district de la Commission de l'escarpement du Niagara ayant compétence dans la zone visée par le plan officiel ou la modification de plan officiel qui est proposé,
  - ii. d'autre part, l'urbaniste principal du bureau de district de la Commission de l'escarpement du Niagara ayant compétence dans la zone attenante au terrain visé par le plan officiel ou la modification de plan officiel qui est proposé.
9. La Commission des parcs du Niagara, si une partie du terrain visé par le plan officiel ou la modification de plan officiel qui est proposé est contiguë à la promenade du Niagara ou relève de la compétence de la Commission.

10. La Commission des parcs du Saint-Laurent, si une partie de la zone visée par le plan officiel ou la modification de plan officiel qui est proposé est contiguë à la promenade des Mille-Îles et relève de la compétence de la Commission en vertu de l'article 9 de la *Loi sur la Commission des parcs du Saint-Laurent*.

11. Le secrétaire de chaque municipalité ou le secrétaire-trésorier de chaque office d'aménagement municipal ou de chaque conseil d'aménagement, si une partie de la municipalité, de la zone d'aménagement municipal ou de la zone d'aménagement est située dans un rayon d'un kilomètre de la zone visée par le plan officiel ou la modification de plan officiel qui est proposé.

12. Le chef de chaque conseil de première nation, si la première nation se trouve sur une réserve dont une partie est située dans un rayon d'un kilomètre de la zone visée par le plan officiel ou la modification de plan officiel qui est proposé.

(9) L'avis concernant la tenue d'une réunion publique visant à informer le public sur un plan officiel ou la modification d'un plan officiel qui est proposé et que le conseil d'un comté, d'une municipalité régionale, de la municipalité de la communauté urbaine de Toronto, du district de Muskoka ou du comté d'Oxford envisage d'adopter est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, sauf si le directeur a avisé le secrétaire de la municipalité ou le secrétaire-trésorier du conseil d'aménagement qu'il ne désire pas recevoir de tels avis.

(10) Lorsque l'autorité approbatrice à l'égard d'un plan officiel ou d'une modification de plan officiel qui est proposé est le ministre, l'avis concernant la tenue d'une réunion publique visant à informer le public sur le plan officiel ou la modification de plan officiel qui est proposé et que le conseil d'une municipalité locale envisage d'adopter est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, sauf si le directeur a avisé le secrétaire de la municipalité ou le secrétaire-trésorier du conseil d'aménagement qu'il ne désire pas recevoir de tels avis. Le présent paragraphe s'applique que le plan officiel ou la modification de plan officiel qui est proposé soit ou non soustrait à l'exigence voulant qu'il soit approuvé aux termes du paragraphe 17 (9) ou (10) de la Loi.

(11) Lorsque l'autorité approbatrice à l'égard d'un plan officiel ou d'une modification de plan officiel qui est proposé n'est pas le ministre, l'avis concernant la tenue d'une réunion publique visant à informer le public sur le plan officiel ou la modification de plan officiel qui est proposé et que le conseil d'une municipalité locale envisage d'adopter est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, si le directeur a demandé par écrit au secrétaire de la municipalité ou au secrétaire-trésorier du conseil d'aménagement de lui donner de tels avis. Le présent paragraphe s'applique que le plan officiel ou la modification de plan officiel qui est proposé soit ou non soustrait à l'exigence voulant qu'il soit approuvé aux termes du paragraphe 17 (9) ou (10) de la Loi.

(12) L'avis concernant la tenue d'une réunion publique comprend ce qui suit :

1. Les date, heure et lieu de la réunion.
2. Une note expliquant le but et l'effet du plan officiel ou de la modification de plan officiel qui est proposé.
3. Une description du terrain ou une carte-index indiquant l'emplacement du terrain visé par le plan officiel ou la modification de plan officiel qui est proposé, ou une note



expliquant l'absence d'une telle description ou d'une telle carte-index.

4. L'endroit et le moment où une copie du plan officiel ou de la modification de plan officiel qui est proposé ainsi que les documents explicatifs, le cas échéant, seront mis à la disposition du public aux fins de consultation.

5. La mention suivante :

Si vous désirez être avisé(e) de l'adoption du plan officiel proposé (ou de la modification du plan officiel qui est proposée), vous devez présenter une demande écrite à (nom et adresse de la municipalité ou du conseil d'aménagement).

6. La mention suivante :

Si une personne ou un organisme public qui dépose un avis d'appel d'une décision de (nom de la municipalité ou du conseil d'aménagement) relativement au plan officiel proposé (ou à la modification du plan officiel qui est proposée) ne présente pas d'observations orales lors d'une réunion publique ou ne présente pas d'observations écrites à (nom de la municipalité ou du conseil d'aménagement) avant que le plan officiel proposé (ou la modification du plan officiel qui est proposée) ne soit adopté, la Commission des affaires municipales de l'Ontario peut rejeter l'appel en totalité ou en partie.

7. Si le terrain visé par le plan officiel ou la modification de plan officiel qui est proposé fait l'objet, aux termes de la Loi, d'une modification d'un règlement municipal de zonage, d'un arrêté ministériel de zonage ou d'une dérogation mineure ou d'une demande d'approbation d'un plan de lotissement ou d'une autorisation, et si ces renseignements sont connus, une mention à cet effet ainsi que le numéro de dossier de la demande.

(13) Malgré le paragraphe (12), l'avis de la tenue d'une réunion publique qui est donné par affichage sur le bien-fonds comprend ce qui suit :

1. Les date, heure et lieu de la réunion publique.
2. Une note expliquant le but et l'effet du plan officiel ou de la modification de plan officiel qui est proposé.
3. L'endroit et le moment où une copie du plan officiel ou de la modification de plan officiel qui est proposé ainsi que les documents explicatifs, le cas échéant, seront mis à la disposition du public aux fins de consultation.
4. La façon d'obtenir une copie de l'avis écrit de la tenue de la réunion publique.

3. L'avis prévu au paragraphe 17 (23) de la Loi concernant l'adoption d'un plan officiel ou d'une modification de plan officiel qui est proposé comprend ce qui suit :

1. La date à laquelle le règlement municipal portant adoption du plan officiel ou de la modification de plan officiel qui est proposé a été adopté.
2. Le but et l'effet du plan officiel ou de la modification de plan officiel qui est proposé.
3. L'endroit et le moment où des renseignements concernant le plan officiel ou la modification de plan officiel qui est proposé seront mis à la disposition du public aux fins de consultation.

4. Lorsque le plan officiel ou la modification de plan officiel qui est proposé exige l'approbation de l'autorité approbatrice aux termes du paragraphe 17 (22) de la Loi :

- i. une mention indiquant que les personnes ou les organismes publics qui en font la demande par écrit à l'autorité approbatrice auront le droit de recevoir un avis de la décision de celle-ci;
- ii. les nom et adresse de l'autorité approbatrice à laquelle le plan officiel ou la modification de plan officiel qui est proposé sera soumis pour approbation.

5. Lorsque le plan officiel ou la modification de plan officiel qui est proposé est soustrait à l'exigence voulant qu'il soit approuvé aux termes du paragraphe 17 (9) ou (10) de la Loi :

- i. le dernier jour où peut être déposé un avis d'appel, et une mention indiquant que l'avis d'appel doit être déposé auprès du secrétaire de la municipalité ou du secrétaire-trésorier du conseil d'aménagement, doit indiquer la partie exacte du plan officiel ou de la modification de plan officiel qui est proposé qui est visée par l'appel, doit indiquer les motifs à l'appui de l'appel et doit être accompagné des droits exigés par la Commission des affaires municipales de l'Ontario;

- ii. la mention suivante :

Le plan officiel proposé (ou la modification du plan officiel qui est proposée) est soustrait à l'exigence voulant qu'il soit approuvé par (nom de l'autorité approbatrice) et la décision du conseil est définitive si aucun avis d'appel n'est reçu au plus tard le dernier jour où peut être déposé un avis d'appel;

- iii. la mention suivante :

Seuls les particuliers, les personnes morales ou les organismes publics peuvent interjeter appel d'une décision de la municipalité ou du conseil d'aménagement devant la Commission des affaires municipales de l'Ontario. Les associations ou les groupes sans personnalité morale ne peuvent pas déposer d'avis d'appel. Toutefois, un avis d'appel peut être déposé au nom d'un particulier qui est membre de l'association ou du groupe pour le compte de l'une ou l'autre.

6. Si le terrain visé par le plan officiel ou la modification de plan officiel qui est proposé fait l'objet, aux termes de la Loi, d'une modification d'un règlement municipal de zonage, d'un arrêté ministériel de zonage ou d'une dérogation mineure ou d'une demande d'approbation d'un plan de lotissement ou d'une autorisation, et si ces renseignements sont connus, une mention à cet effet ainsi que le numéro de dossier de la demande.

4. (1) L'avis concernant l'adoption par le conseil d'un comté, d'une municipalité régionale, de la municipalité de la communauté urbaine de Toronto, du district de Muskoka ou du comté d'Oxford d'un plan officiel ou d'une modification de plan officiel qui est proposé et qui est soustrait à l'exigence voulant qu'il soit approuvé aux termes du paragraphe 17 (9) ou (10) de la Loi est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, sauf si le directeur a avisé le secrétaire de la municipalité ou le secrétaire-trésorier du conseil d'aménagement qu'il ne désire pas recevoir de tels avis.

(2) Lorsqu'un plan officiel ou une modification de plan officiel qui est proposé est adopté par le conseil d'une municipalité locale et que le



ministre en est l'autorité approbatrice, l'avis d'adoption est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, sauf si le directeur a avisé le secrétaire de la municipalité ou le secrétaire-trésorier du conseil d'aménagement qu'il ne désire pas recevoir de tels avis. Le présent paragraphe s'applique que le plan officiel ou la modification de plan officiel qui est proposé soit ou non soustrait à l'exigence voulant qu'il soit approuvé aux termes du paragraphe 17 (9) ou (10) de la Loi.

(3) Lorsqu'un plan officiel ou une modification de plan officiel qui est proposé est adopté par le conseil d'une municipalité locale et que le ministre n'en est pas l'autorité approbatrice, l'avis d'adoption est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, si le directeur a demandé par écrit au secrétaire de la municipalité ou au secrétaire-trésorier du conseil d'aménagement de lui donner de tels avis. Le présent paragraphe s'applique que le plan officiel ou la modification de plan officiel qui est proposé soit ou non soustrait à l'exigence voulant qu'il soit approuvé aux termes du paragraphe 17 (9) ou (10) de la Loi.

(4) L'avis donné aux termes du paragraphe (3) comprend également une copie du plan officiel ou de la modification de plan officiel qui est proposé.

5. Le dossier que le secrétaire de la municipalité ou le secrétaire-trésorier du conseil d'aménagement doit faire constituer et transmettre à la Commission des affaires municipales aux termes du paragraphe 17 (29) de la Loi contient ce qui suit :

1. Une copie certifiée conforme du règlement municipal portant adoption du plan officiel ou de la modification de plan officiel qui est proposé.
2. Une copie certifiée conforme du plan officiel ou de la modification de plan officiel qui est proposé.
3. L'original ou une copie certifiée conforme de l'avis d'appel et la date de sa réception par la municipalité ou le conseil d'aménagement.
4. L'original ou une copie des observations et commentaires écrits qui ont été présentés et la mention de la date à laquelle ils ont été reçus.
5. Un affidavit ou une déclaration sous serment, souscrit par un employé de la municipalité ou du conseil d'aménagement, attestant :
  - i. qu'ont été observées soit les exigences relatives à la remise de l'avis de la tenue d'au moins une réunion publique et à la tenue de celle-ci, soit les autres mesures à prendre, conformément au plan officiel, pour informer le public et obtenir son avis,
  - ii. qu'ont été observées les exigences relatives à la remise de l'avis d'adoption.
6. Un affidavit ou une déclaration sous serment, souscrit par un employé de la municipalité ou du conseil d'aménagement, énumérant les personnes et les organismes publics qui ont présenté des observations orales lors de la réunion publique.
7. Une copie du procès-verbal de la réunion publique, le cas échéant.

8. Une copie de tout rapport en matière d'aménagement étudié par le conseil.

9. Le cas échéant, l'original ou une copie certifiée conforme des renseignements et documents prescrits exigés aux termes du paragraphe 22 (4) de la Loi et reçus par le conseil ou le conseil d'aménagement.

6. (1) Le dossier que le secrétaire de la municipalité ou le secrétaire-trésorier du conseil d'aménagement doit faire constituer et transmettre à l'autorité approbatrice aux termes du paragraphe 17 (31) de la Loi contient ce qui suit :

1. Une copie certifiée conforme du règlement municipal portant adoption du plan officiel ou de la modification de plan officiel qui est proposé.
2. Une copie certifiée conforme du plan officiel ou de la modification de plan officiel qui est proposé.
3. L'original ou une copie des observations et commentaires écrits qui ont été présentés et la mention de la date à laquelle ils ont été reçus.
4. Un affidavit ou une déclaration sous serment, souscrit par un employé de la municipalité ou du conseil d'aménagement, attestant :
  - i. qu'ont été observées soit les exigences relatives à la remise de l'avis de la tenue d'au moins une réunion publique et à la tenue de celle-ci, soit les autres mesures à prendre, conformément au plan officiel, pour informer le public et obtenir son avis,
  - ii. qu'ont été observées les exigences relatives à la remise de l'avis d'adoption.
5. Un affidavit ou une déclaration sous serment, souscrit par un employé de la municipalité ou du conseil d'aménagement, énumérant les personnes et les organismes publics qui ont présenté des observations orales lors de la réunion publique.
6. Une copie du procès-verbal de la réunion publique, le cas échéant.
7. Une copie de tout rapport en matière d'aménagement étudié par le conseil ou le conseil d'aménagement.
8. Un affidavit ou une déclaration sous serment, souscrit par le secrétaire, le commissaire ou le directeur de l'aménagement de la municipalité, par le secrétaire-trésorier du conseil d'aménagement ou par un autre employé de la municipalité ou du conseil d'aménagement désigné par résolution, attestant l'exactitude des renseignements exigés par le paragraphe (2) et fournis par la municipalité ou le conseil d'aménagement.

(2) Le dossier doit contenir également ce qui suit :

1. Une mention indiquant si le conseil ou le conseil d'aménagement soumet un plan officiel ou une modification de plan officiel.
2. Dans le cas où le conseil ou le conseil d'aménagement soumet un plan officiel, une mention indiquant si celui-ci remplace un plan officiel existant.
3. Dans le cas où le conseil ou le conseil d'aménagement soumet une modification de plan officiel, le dossier doit contenir ce qui suit :
  - i. La description du terrain visé, tels la municipalité ou le canton géographique dans un territoire non érigé en



municipalité, le numéro de la concession et des lots, le numéro du plan de renvoi et des parties, et le numéro et le nom de la rue.

- ii. Le cas échéant, la superficie approximative du terrain visé par la modification proposée, si ce renseignement est connu.
- iii. Une mention indiquant si la modification proposée modifie, remplace ou annule une politique du plan officiel.
- iv. Dans l'affirmative à la sous-disposition iii, la mention de la politique devant être modifiée, remplacée ou annulée.
- v. Une mention indiquant si la modification proposée ajoute une politique au plan officiel.
- vi. Une mention indiquant si la modification proposée modifie, remplace, annule ou ajoute une politique, le but de la modification du plan officiel qui est proposée.
- vii. Le cas échéant, la désignation actuelle du terrain visé sur le plan officiel, ainsi que les utilisations du sol qui sont autorisées par la désignation.
- viii. Une mention indiquant si la modification proposée modifie ou remplace une désignation sur le plan officiel.
- ix. Si la modification proposée modifie ou remplace une désignation sur le plan officiel, la désignation devant être modifiée ou remplacée.
- x. Les utilisations du sol qui seraient autorisées par la modification du plan officiel qui est proposée.
- xi. Si ces renseignements sont connus, une mention indiquant si le terrain visé ou les terrains situés dans un rayon de 120 mètres du terrain visé font l'objet d'une demande de modification d'un plan officiel, d'une demande de règlement municipal de zonage, d'une demande d'arrêté ministériel de zonage, d'une demande de dérogation mineure, d'une demande d'approbation d'un plan de lotissement ou d'un plan d'implantation ou d'une demande d'autorisation.
- xii. S'il est connu que le terrain visé fait l'objet d'une demande pour l'application de la sous-disposition xi, le numéro de dossier de la demande, le nom de l'autorité approbatrice qui en est saisie, les terrains concernés par la demande, le but et l'état de la demande, ainsi que l'effet de celle-ci sur la modification proposée.

7. (1) L'avis prévu au paragraphe 17 (35) de la Loi concernant la décision de l'autorité approbatrice à l'égard d'un plan officiel ou d'une modification de plan officiel qui est proposé comprend ce qui suit :

1. Une note expliquant le but et l'effet du plan officiel ou de la modification de plan officiel qui est proposé.
2. Une déclaration portant que l'autorité approbatrice a pris la décision d'approuver, de modifier et d'approuver, ou de refuser le plan officiel ou la modification de plan officiel qui est proposé, selon le cas.
3. Si l'autorité approbatrice a pris la décision de refuser le plan officiel ou la modification de plan officiel qui est proposé, les motifs écrits à l'appui du refus.
4. L'endroit et le moment où des renseignements sur le plan officiel ou la modification de plan officiel qui est proposé et sur la

décision seront mis à la disposition du public aux fins de consultation.

5. Le dernier jour où peut être déposé un avis d'appel, et une mention indiquant que l'avis d'appel doit être déposé auprès de l'autorité approbatrice, doit indiquer la partie exacte du plan officiel ou de la modification de plan officiel qui est proposé qui est visée par l'appel, doit indiquer les motifs à l'appui de l'appel et doit être accompagné des droits exigés par la Commission des affaires municipales de l'Ontario.

6. La mention suivante :

La décision de (*nom de l'autorité approbatrice*) est définitive si aucun avis d'appel n'est reçu au plus tard le dernier jour où peut être déposé un avis d'appel.

7. La mention suivante :

Seuls les particuliers, les personnes morales ou les organismes publics peuvent interjeter appel d'une décision de l'autorité approbatrice devant la Commission des affaires municipales de l'Ontario. Les associations ou les groupes sans personnalité morale ne peuvent pas déposer d'avis d'appel. Toutefois, un avis d'appel peut être déposé au nom d'un particulier qui est membre de l'association ou du groupe pour le compte de l'une ou l'autre.

8. S'il est connu que le terrain visé par le plan officiel ou la modification de plan officiel qui est proposé fait l'objet, aux termes de la Loi, d'une demande de modification d'un règlement municipal de zonage, d'une demande d'arrêté ministériel de zonage ou d'une demande de dérogation mineure ou d'une demande d'approbation d'un plan de lotissement ou d'une demande d'autorisation, une mention à cet effet ainsi que le numéro de dossier de la demande.

(2) Lorsque l'autorité approbatrice à l'égard d'un plan officiel ou d'une modification de plan officiel qui est proposé n'est pas le ministre, l'avis de la décision de l'autorité approbatrice à l'égard d'un plan officiel ou d'une modification de plan officiel qui est proposé et qui a été adopté par le conseil d'une municipalité locale est donné par signification à personne, par courrier affranchi de la première classe ou par télécopie au directeur de la Direction de l'administration des plans du ministère des Affaires municipales et du Logement, si le directeur a demandé par écrit au secrétaire de la municipalité ou au secrétaire-trésorier du conseil d'aménagement de lui donner de tels avis.

(3) L'avis donné aux termes du paragraphe (2) comprend également une copie du plan officiel ou de la modification de plan officiel qui est proposé.

8. Le dossier que l'autorité approbatrice doit faire constituer et transmettre à la Commission des affaires municipales aux termes du paragraphe 17 (42) de la Loi contient ce qui suit :

1. Le cas échéant, une copie de la décision de l'autorité approbatrice.
2. L'original ou une copie certifiée conforme de l'avis d'appel et la date de sa réception.
3. L'original ou une copie certifiée conforme du dossier reçu par l'autorité approbatrice aux termes de l'article 6.
4. Le cas échéant, un affidavit ou une déclaration sous serment, souscrit par un employé de l'autorité approbatrice, attestant que l'exigence relative à la remise de l'avis de la décision visé au paragraphe 17 (35) de la Loi a été observée.
5. L'original ou une copie des observations et commentaires écrits qui ont été reçus.



6. Le cas échéant, une copie de tout rapport en matière d'aménagement étudié par l'autorité approbatrice.

9. Les renseignements et documents que l'auteur d'une demande doit fournir aux termes du paragraphe 22 (4) de la Loi sont indiqués à l'annexe.

10. Le dossier que le secrétaire de la municipalité ou le secrétaire-trésorier du conseil d'aménagement doit faire constituer et transmettre à la Commission des affaires municipales aux termes du paragraphe 22 (9) de la Loi contient ce qui suit :

1. L'original ou une copie certifiée conforme de la demande de modification du plan officiel.

2. L'original ou une copie certifiée conforme des renseignements et documents prescrits qui ont été reçus par le conseil ou le conseil d'aménagement aux termes du paragraphe 22 (4) de la Loi.

3. L'original ou une copie des observations et commentaires écrits qui ont été reçus par le conseil ou le conseil d'aménagement.

4. Le cas échéant, un affidavit ou une déclaration sous serment, souscrit par un employé de la municipalité ou du conseil d'aménagement, attestant que les exigences relatives à la remise de l'avis de la tenue d'au moins une réunion publique et à la tenue de celle-ci et les autres mesures à prendre, conformément au plan officiel, pour informer le public et obtenir son avis ont été observées.

5. Le cas échéant, un affidavit ou une déclaration sous serment, souscrit par un employé de la municipalité ou du conseil d'aménagement, énumérant les personnes et les organismes publics qui ont présenté des observations orales lors de la réunion publique.

6. Une copie du procès-verbal de la réunion publique, le cas échéant.

7. Le cas échéant, une copie de la résolution du conseil ou du conseil d'aménagement refusant d'adopter la modification du plan officiel qui est proposée.

8. Une copie de tout rapport en matière d'aménagement étudié par le conseil ou le conseil d'aménagement.

11. (1) Les Règlements de l'Ontario 42/95, 141/95 et 288/95 sont abrogés.

(2) Malgré l'abrogation des règlements visés au présent article, le traitement des propositions de plan officiel ou de modification de plan officiel qui, aux termes de l'article 75 de la Loi, étaient réputées avoir été soumises avant le 22 mai 1996 se poursuit comme si les règlements n'avaient pas été abrogés.

#### Annexe

#### RENSEIGNEMENTS ET DOCUMENTS DEVANT ÊTRE FOURNIS AUX TERMES DU PARAGRAPHE 22 (4) DE LA LOI

1. Les nom, adresse et numéro de téléphone de l'auteur de la demande.

2. Le nom de la municipalité ou du conseil d'aménagement à qui il a été demandé d'apporter une modification à son plan officiel.

3. La date de la demande à la municipalité ou au conseil d'aménagement d'apporter la modification au plan officiel qui est proposée.

4. Le nom du plan officiel dont la modification est proposée.

5. La description du terrain visé, tels la municipalité ou le canton géographique dans un territoire non érigé en municipalité, le numéro de la concession et des lots, le numéro du plan de renvoi et des parties, et le numéro et le nom de la rue.

6. Le cas échéant, la superficie approximative du terrain visé par la modification proposée, si ce renseignement est connu.

7. Une mention indiquant si la modification proposée modifie, remplace ou annule une politique du plan officiel.

8. Dans l'affirmative à l'article 7, la mention de la politique devant être modifiée, remplacée ou annulée.

9. Une mention indiquant si la modification proposée ajoute une politique au plan officiel.

10. Une mention indiquant si la modification proposée modifie, remplace, annule ou ajoute une politique, le but de la modification du plan officiel qui est proposée.

11. Le cas échéant, la désignation actuelle du terrain visé sur le plan officiel, ainsi que les utilisations du sol qui sont autorisées par la désignation.

12. Une mention indiquant si la modification proposée modifie ou remplace une désignation sur le plan officiel.

13. Si la modification proposée modifie ou remplace une désignation sur le plan officiel, la désignation devant être modifiée ou remplacée.

14. Les utilisations du sol qui seraient autorisées par la modification du plan officiel qui est proposée.

15. Une mention indiquant si le terrain visé ou les terrains situés dans un rayon de 120 mètres du terrain visé font l'objet d'une demande présentée par l'auteur de la demande, telle une demande d'approbation d'une modification de plan officiel, d'une modification de règlement municipal de zonage ou d'une modification d'arrêté ministériel de zonage ou une demande d'approbation d'une dérogation mineure, d'un plan de lotissement, d'un plan d'implantation ou d'une autorisation.

16. Dans l'affirmative à l'article 15 et si ces renseignements sont connus, le numéro de dossier de la demande, le nom de l'autorité approbatrice qui en est saisie, les terrains concernés par la demande, le but et l'état de la demande, ainsi que l'effet de celle-ci sur la modification proposée.

17. Le texte de la modification proposée, si une politique du plan officiel est modifiée, remplacée ou annulée, ou si une politique est ajoutée au plan officiel.

18. L'annexe proposée à l'égard du plan officiel, si la modification proposée modifie ou remplace une annexe du plan officiel, et le texte de cette annexe.
19. Un affidavit ou une déclaration sous serment, souscrit par l'auteur de la demande, attestant l'exactitude des renseignements exigés par la présente annexe et fournis par ce dernier.

AL LEACH

*Minister of Municipal Affairs and Housing*  
*Ministre des Affaires municipales et du Logement*

Dated at Toronto on October 31, 1996.  
Fait à Toronto le 31 octobre 1996.

46/96



# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—11—23

## ONTARIO REGULATION 495/96 made under the HEALTH CARE ACCESSIBILITY ACT

Made: October 23, 1996  
Filed: November 4, 1996

Amending O. Reg. 113/96  
(General)

Note: Ontario Regulation 113/96 has not previously been amended.

1. Section 1 of Ontario Regulation 113/96 is revoked and the following substituted:

1. A hospital may accept co-payments for accommodation and meals under section 10 of Regulation 552 of the Revised Regulations of Ontario, 1990 (chronic care).

2. This Regulation comes into force on January 1, 1997.

47/96

## ONTARIO REGULATION 496/96 made under the HEALTH INSURANCE ACT

Made: October 23, 1996  
Filed: November 4, 1996

Amending Reg. 552 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 552 has been amended by Ontario Regulations 111/96, 112/96, 114/96, 172/96, 173/96, 339/96, 409/96 and 410/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 6 of Regulation 552 of the Revised Regulations of Ontario, 1990 is revoked.

2. Subsection 9(3) of the Regulation is amended by adding, at the beginning, "Subject to section 10".

3. Section 10 of the Regulation is revoked and the following substituted:

10. (1) A co-payment for accommodation and meals that are insured services shall be made by or on behalf of an insured person who, in the opinion of the attending physician, requires chronic care and is more or less permanently resident in a hospital or other institution.

(2) This section applies only with respect to an insured person receiving,

(a) insured inpatient services provided in a hospital listed under the heading "Group F Hospitals" or "Group G Hospitals" in the Schedule to Regulation 964 of the Revised Regulations of

Ontario, 1990 or in a hospital listed in Part II of Schedule I, Part II of Schedule 2 or Part II of Schedule 4; or

(b) insured inpatient services provided in a hospital listed under the heading "Group A Hospitals", "Group B Hospitals" or "Group C Hospitals" in the Schedule to Regulation 964 of the Revised Regulations of Ontario, 1990 if the insured person is awaiting placement in a hospital referred to in clause (a) or another institution.

(3) Co-payments shall be paid to the hospital providing the services.

(4) The amount of the co-payment is the amount charged by the hospital subject to the following restrictions:

1. The amount charged may not exceed the maximum amount of the co-payment under subsections (6) to (9).

2. The amount charged may not be increased unless the hospital has given the insured person at least 30 days written notice of the increase.

(5) Paragraph 2 of subsection (4) does not apply to an increase in the amount of a co-payment that was reduced pursuant to an application under subsection (7), if the increase results from,

(a) a determination under subsection (8) pursuant to a reapplication under subsection (7); or

(b) a failure to reapply under subsection (7) at the end of the period for which the reduction was in effect.

(6) Subject to subsections (7) to (9), the maximum amount of the co-payment is,

(a) for each calendar month that services are received on every day of the month by a person in a category set out in Column 2 of Table 2, the amount prescribed opposite in Column 3 for the period the services are received in Column 1; and

(b) for each day, other than a day that is part of a month referred to in clause (a), that services are received by a person in a category set out in Column 2 of Table 2, the amount prescribed opposite in Column 4 for the period the services are received in Column 1.

(7) The insured person or the insured person's spouse may make an application to the hospital for a reduction in the maximum amount of the co-payment if,

(a) the insured person has a spouse who was cohabiting with the insured person immediately before the insured person was admitted to the hospital where he or she is receiving insured inpatient services or, if the insured person has been in more than one hospital or institution continuously, immediately before the insured person was first admitted to such a hospital or institution;

(b) the spouse is receiving benefits under the *Old Age Security Act* (Canada) or the *Ontario Guaranteed Annual Income Act*; and

(c) the spouse lives outside an approved charitable home for the aged under the *Charitable Institutions Act*, a home under the

*Homes for the Aged and Rest Homes Act*, a nursing home under the *Nursing Homes Act* or a hospital or other facility that is government-funded.

(8) If an application is made under subsection (7), the amount of the reduction shall be determined in accordance with the Application for Reduction of Assessed Co-Payment Fees dated October 15, 1996 and published by and available from the Ministry of Health.

(9) A reduction determined under subsection (8) shall take effect on the first day of the month in which the application for the reduction was made and ends on the earliest of the following dates:

1. The first June 30 following the first day of the month in which the application for the reduction was made.
2. The last day of the month immediately preceding the month in which the next application is made under subsection (7) in respect of the same insured person.

(10) This section does not apply with respect to,

- (a) a child who is under 18 years of age;
- (b) a person who was receiving benefits under the *General Welfare Assistance Act* or the *Family Benefits Act* on the day before the insured person was admitted to the hospital where they are receiving insured inpatient services.

(11) In this section, and in Table 2,

"dependant" means,

- (a) a spouse who is not receiving benefits under the *Old Age Security Act* (Canada) or the *Ontario Guaranteed Annual Income Act* and who was cohabiting with the insured person immediately before the insured person was admitted to the hospital where they are receiving insured inpatient services or, if the insured person has been in more than one hospital or

institution continuously, immediately before they were first admitted to such a hospital or institution, or

- (b) a child who is under 18 years of age;

"estimated income" means the average monthly income of any nature or kind whatsoever of an insured person or of a dependant of an insured person, as estimated by the insured person or the insured person's representative, including,

- (a) payments made under any Act of the Parliament of Canada or by Ontario,
- (b) income from salaries and wages,
- (c) income from an interest in or operation of a business, less expenses incurred in earning such gross income, and
- (d) income from investments, less expenses incurred in earning such income;

"spouse" means a person of the opposite sex,

- (a) to whom the person is married, or
- (b) with whom the person was living, in a conjugal relationship outside marriage, if the two persons,
  - (i) have cohabited for at least one year,
  - (ii) are together the parents of a child, or
  - (iii) have together entered into a cohabitation agreement under section 53 of the *Family Law Act*.

4. (1) Item 16 of Table 2 of the Regulation is amended by striking out "On or after August 1, 1994" in Column 1 and substituting "On or after August 1, 1994 but before January 1, 1997".

(2) Table 2 of the Regulation is amended by adding the following item:

17.	On or after January 1, 1997	Person with no dependants — maximum estimated income \$1,337.62	Estimated income less \$112.00	Estimated income less \$112.00, divided by 30.4
		Person with one dependant — maximum aggregate estimated incomes \$6,518.00	Aggregate estimated incomes less \$2,841.00 divided by 3	Aggregate estimated incomes less \$2,841.00, divided by 91.2
		Person with two dependants — maximum aggregate estimated incomes \$6,925.00	Aggregate estimated incomes less \$3,248.00, divided by 3	Aggregate estimated incomes less \$3,248.00, divided by 91.2
		Person with three dependants — maximum aggregate estimated incomes \$7,295.00	Aggregate estimated incomes less \$3,618.00, divided by 3	Aggregate estimated incomes less \$3,618.00, divided by 91.2
		Person with four or more dependants — maximum aggregate estimated incomes \$7,626.00	Aggregate estimated incomes less \$3,949.00, divided by 3	Aggregate estimated incomes less \$3,949.00, divided by 91.2
		Person not referred to elsewhere in this item	\$1,225.62	\$40.29

5. This Regulation comes into force on January 1, 1997.



**ONTARIO REGULATION 497/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: October 22, 1996  
Approved: November 4, 1996  
Filed: November 5, 1996

Amending Reg. 255 of R.R.O. 1990  
(Crop Insurance Plan—Winter Wheat)

Note: Since January 1, 1996, Regulation 255 has been amended by Ontario Regulation 282/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. (1) Subsection 11 (1.1) of the Schedule to Regulation 255 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

(1.1) The floating price is the average price of Crop Grade 2 winter wheat sold between July 1 and August 31 in the crop year less marketing costs, as the price and marketing costs are determined by the Ontario Wheat Producers' Marketing Board.

**(2) The Table in subsection 12 (1) of the Schedule to the Regulation is revoked and the following substituted:**

TABLE

Percentage Chosen By Insured	Base Premium Rate Per Acre
75%	\$11.10
80%	\$14.00
85%	\$17.40
90%	\$21.90

**(2) (1) Subparagraph 5 (1) of Form 1 of the Regulation is revoked and the following substituted:**

(1) Stage 1 comprises the period from the date on which the seeding of acreage to winter wheat is completed to and including June 30 in the crop year.

**(2) Subparagraph 5 (3) of Form 1 of the Regulation is revoked and the following substituted:**

(3) Where the damaged acreage is three acres or more and the Commission consents to the seeding of the damaged acreage to another crop, the contract of insurance shall cease to apply to the reseeded acreage, the total guaranteed production shall be reduced accordingly and the Commission shall pay to the insured person for each acre reseeded a reseeded benefit of \$48 per acre.

**(3) Subparagraph 6 (1) of Form 1 of the Regulation is revoked and the following substituted:**

(1) Stage 2 commences on July 1 in the crop year and, with respect to any part of the seeded acreage, ends with the completion of harvesting of that part.

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
*Chair*

MATT TULLOCH  
*Secretary*

Dated at Toronto on October 22, 1996.

47/96

**ONTARIO REGULATION 498/96**  
made under the  
**PLANNING ACT**

Made: October 30, 1996  
Filed: November 7, 1996

Amending O. Reg. 40/85  
(Zoning areas—District of Nipissing, Part of the  
Districts of Nipissing and Sudbury)

Note: Since January 1, 1996, Ontario Regulation 40/85 has been amended by Ontario Regulation 2/96. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1995.

**1. The Schedule to Ontario Regulation 40/85 is amended by adding the following section:**

**31. (1)** Despite section 4, the land described in subsection (4) is, for the purposes of this Order, land in a Seasonal Residential Zone.

(2) No external openings shall be permitted in any habitable building or structure below the Flood Datum Elevation (FDE) for Lake Nipissing of 197.25 metres Canadian Geodetic Datum (CGD).

(3) No buildings or structures shall be erected or located except buildings or structures for the purpose of flood control or conservation purposes within 15 metres of the front lot line of the lands described in subsection (4).

(4) Subsections (1), (2) and (3) apply to the land in the geographic Township of Loudon, in the Territorial District of Nipissing, being part of Lot B in Concession V, and more particularly described as Parts 1, 2 and 3 on Plan 36R-10133, deposited in the Land Registry Office for the Land Titles Division of Nipissing (No. 36).

KAREN SMITH  
*Manager*  
*Provincial Planning Services Branch*  
*Ministry of Municipal Affairs and Housing*

Dated at Toronto on October 30, 1996.

47/96

**ONTARIO REGULATION 499/96**  
made under the  
**HIGHWAY TRAFFIC ACT**

Made: November 6, 1996  
Filed: November 7, 1996

**ADMINISTRATIVE DRIVER'S LICENCE  
SUSPENSION**

1. A police officer, acting under subsection 48.3 (1) of the Act, must notify the Registrar by any form of telecommunication.

2. A police officer, acting under subsection 48.3 (1) of the Act may cause another police officer or a person employed by a police service to notify the Registrar.

3. The Registrar must be notified within 90 days after the day on which the person who is the subject of the notification was driving or had care, charge or control of a motor vehicle.

4. A police officer who has notified the Registrar or caused the Registrar to be notified under subsection 48.3 (1) of the Act shall confirm the notice by completing a form provided by the Registrar for that purpose and shall forward the completed form to the Registrar as soon as practical after the notification by telecommunication.

5. This Regulation comes into force on the day that section 8 of the *Road Safety Act, 1996* comes into force.

47/96

**CORRECTIONS**

1. Ontario Regulation 409/94 under the *Pension Benefits Act* published in the July 9, 1994 issue of *The Ontario Gazette*.

Subsection 6 (3) of Ontario Regulation 409/94 should have read as follows:

(3) This section shall be deemed to have come into force on the day on which Ontario Regulation 760/91 came into force (January 1, 1992).

2. Ontario Regulation 256/96 under the *Business Names Act* published in the June 22, 1996 issue of *The Ontario Gazette*.

Section 2 of Ontario Regulation 256/96 should have read as follows:

2. This Regulation comes into force on the day that subsection 2 (3.1) of the Act comes into force.

3. Ontario Regulation 309/96 under the *Business Names Act* published in the July 20, 1996 issue of *The Ontario Gazette*.

Subsection 1 (3) of Ontario Regulation 309/96 should have read as follows:

(3) Section 11 of the Regulation is amended by adding the following subsections:

(3) The fee payable for a service set out in subsection (2) is the fee set out in that subsection for expedited service if,

- (a) the person who requests the service requests that it be provided by the end of the business day following the day of the request; and
  - (b) the service is provided to the person by the end of the business day following the day of the request.
- (4) In subsection (3),

"business day" means a day during which the computer system that the Registrar has established is operational for the purpose of registering and searching under the Act.

**CORRECTIONS**

1. Le Règlement de l'Ontario 409/94 pris en application de la *Loi sur les régimes de retraite* qui a été publié dans le numéro du 9 juillet 1994 de la *Gazette de l'Ontario*.

Le paragraphe 6 (3) du Règlement de l'Ontario 409/94 aurait dû se lire comme suit :

(3) Le présent article est réputé être entré en vigueur le jour de l'entrée en vigueur du Règlement de l'Ontario 760/91 (le 1<sup>er</sup> janvier 1992).

2. Le Règlement de l'Ontario 256/96 pris en application de la *Loi sur les noms commerciaux* qui a été publié dans le numéro du 22 juin 1996 de la *Gazette de l'Ontario*.

L'article 2 du Règlement de l'Ontario 256/96 aurait dû se lire comme suit :

2. Le présent règlement entre en vigueur le jour où le paragraphe 2 (3.1) de la Loi entre en vigueur.

3. Le Règlement de l'Ontario 309/96 pris en application de la *Loi sur les noms commerciaux* qui a été publié dans le numéro du 20 juillet 1996 de la *Gazette de l'Ontario*.

Le paragraphe 1 (3) du Règlement de l'Ontario 309/96 aurait dû se lire comme suit :

(3) L'article 11 du Règlement est modifié par adjonction des paragraphes suivants :

(3) Les droits exigibles pour un service mentionné au paragraphe (2) correspondent aux droits précisés dans ce paragraphe pour un service accéléré si les conditions suivantes sont réunies :

- a) la personne demande que le service lui soit fourni avant la fin du jour ouvrable suivant le jour où elle présente la demande;
  - b) le service est fourni à la personne avant la fin du jour ouvrable suivant le jour où la demande est présentée.
- (4) La définition qui suit s'applique au paragraphe (3).

«jour ouvrable» S'entend d'un jour où le système informatique que le registrateur a mis sur pied fonctionne aux fins des enregistrements et recherches prévus par la Loi.



# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—11—30

## ONTARIO REGULATION 500/96 made under the PLANNING ACT

Made: November 8, 1996

Filed: November 14, 1996

Amending O. Reg. 174/93  
(Zoning Areas—Territorial District of  
Cochrane, Geographic Township of Clute)

Note: Ontario Regulation 174/93 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 3 of Ontario Regulation 174/93 is revoked and the following substituted:

3. This Order applies to those parcels of land in the geographic Township of Clute in the District of Cochrane, being part of Lots 23 and 24 in Concession IX, designated as Lots 1 to 6 inclusive, on Plan 6M-459, and Lots 7 to 16 inclusive, on Plan 6M-464, and Lots 17 to 29 inclusive, on Plan 6M-468, registered in the Land Registry Office for the Land Titles Division of Cochrane (No. 6).

KAREN SMITH  
Manager

Provincial Planning Services Branch  
Ministry of Municipal Affairs and Housing

Dated at Toronto on November 8, 1996.

48/96

## ONTARIO REGULATION 501/96 made under the PLANNING ACT

Made: November 14, 1996

Filed: November 14, 1996

## ZONING AREAS—GEOGRAPHIC TOWNSHIP OF LOUNT, TERRITORIAL DISTRICT OF PARRY SOUND

### INTERPRETATION

1. In this Order,

“accessory”, when used to describe a use, building or structure, means a use, building or structure that is normally incidental or subordinate to the principal use, building or structure located on the same lot;

“dwelling unit” means one or more habitable rooms occupied or capable of being occupied as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants;

“lot” means a parcel of land shown as a lot on a plan registered in the Land Registry Office for the Land Titles Division of Parry Sound (No. 42);

“seasonal dwelling” means a building containing only one dwelling unit used for recreation and not occupied as a permanent residence.

### APPLICATION

2. This Order applies to the land in the geographic Township of Lount in the Territorial District of Parry Sound, being composed of part of Lot 8 in Concession V, more particularly described as Lots 1 to 9 inclusive, on Plan 42M-605, registered in the Land Registry Office for the Land Titles Division of Parry Sound (No. 42).

### SEASONAL RESIDENTIAL

3. Every use of land and every erection, location or use of buildings or structures is prohibited on Lots 1 to 9 inclusive on Plan 42M-605, except one seasonal dwelling per lot, and uses, buildings and structures accessory to a seasonal dwelling.

4. No structures shall be located within 20 metres of the shoreline, except for docks, saunas and boathouses.

### GENERAL

5. (1) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.

(2) Nothing in this Order prevents the strengthening or restoration to a safe condition of all or part of any building or structure.

(3) No land to which this Order applies shall be used and no building or structure shall be erected or used except in accordance with the terms of this Order, but nothing in this Order prevents the use of any land, building or structure for any purpose prohibited by this Order if such land, building or structure was lawfully used for such purpose on the day this Order comes into force.

J. D. PARKER  
Assistant Deputy Minister (Acting)  
Municipal Operations Division  
Ministry of Municipal Affairs and Housing

Dated at Toronto on November 14, 1996.

48/96

**ONTARIO REGULATION 502/96**

made under the  
**HEALTH PROTECTION AND  
PROMOTION ACT**

Made: November 6, 1996

Filed: November 15, 1996

Amending Reg. 567 of R.R.O. 1990  
(Rabies Immunization)

Note: Regulation 567 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Table 1 of Regulation 567 of the Revised Regulations of Ontario, 1990 is amended by adding the following item:

28. Ottawa-Carleton Regional Health Unit      November 30, 1996

48/96

**RÈGLEMENT DE L'ONTARIO 502/96**

pris en application de la  
**LOI SUR LA PROTECTION ET  
LA PROMOTION DE LA SANTÉ**

pris le 6 novembre 1996

déposé le 15 novembre 1996

modifiant le Règl. 567 des R.R.O. de 1990  
(Immunisation contre la rage)

Remarque : Le Règlement 567 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. Le tableau 1 du Règlement 567 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction du numéro suivant :

28. Circonscription sanitaire régionale  
d'Ottawa-Carleton

30 novembre 1996



# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—12—07

## ONTARIO REGULATION 503/96 made under the MINING ACT

Made: August 14, 1996  
Filed: November 18, 1996

Amending O. Reg. 111/91  
(Forms)

Note: Ontario Regulation 111/91 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

### 1. Sections 1 to 18 of Ontario Regulation 111/91 are revoked and the following substituted:

1. Any form required to be prescribed under the Act shall be in the form approved by the Minister and provided by the Ministry, except as set out in sections 2, 3, 4, 5, 19, 20, 21, 21.1, 21.2, 22 and 23.

2. An application to record a staked mining claim under subsection 44 (1) of the Act shall be in Form 1.

3. A transfer of an unpatented mining claim or any interest in an unpatented mining claim shall be in Form 2.

4. (1) Assessment work referred to in subsection 65 (2) of the Act and exploration work referred to in subsection 66 (3) of the Act shall be declared in Form 3 if the work has been performed on mining lands.

(2) Prospecting and regional surveys on Crown land referred to in subsection 66 (2) of the Act shall be declared in Form 4.

5. A notice of intention to perform assessment work under section 78 of the Act shall be in Form 5.

### 2. Sections 24, 25 and 26 of the Regulation are revoked.

### 3. Forms 1 to 24 of the Regulation are revoked and the following substituted:

## RÈGLEMENT DE L'ONTARIO 503/96 pris en application de la LOI SUR LES MINES

pris le 14 août 1996  
déposé le 18 novembre 1996

modifiant le Règl. de l'Ont. 111/91  
(Formules)

Remarque : Le Règlement de l'Ontario 111/91 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des Règlements qui figure dans les Lois de l'Ontario de 1995.

### 1. Les articles 1 à 18 du Règlement de l'Ontario 111/91 sont abrogés et remplacés par ce qui suit :

1. Toute formule qui doit être prescrite aux termes de la Loi est rédigée selon la formule que le ministre approuve et que le ministère fournit, à l'exception de ce qui est prévu aux articles 2, 3, 4, 5, 19, 20, 21, 21.1, 21.2, 22 et 23.

2. La demande d'enregistrement d'un claim jalonné visée au paragraphe 44 (1) de la Loi est rédigée selon la formule 1.

3. La cession d'un claim non concédé par lettres patentes ou d'un intérêt dans un claim non concédé par lettres patentes est rédigée selon la formule 2.

4. (1) Les travaux d'évaluation visés au paragraphe 65 (2) de la Loi et les travaux d'exploration visés au paragraphe 66 (3) de la Loi sont déclarés selon la formule 3 s'ils ont été exécutés sur des terrains miniers.

(2) Les travaux de prospection et les arpentages régionaux visés au paragraphe 66 (2) de la Loi sont déclarés selon la formule 4 s'ils ont été exécutés sur les terres de la Couronne.

5. L'avis d'intention d'exécuter des travaux d'évaluation visé à l'article 78 de la Loi est rédigé selon la formule 5.

### 2. Les articles 24, 25 et 26 du Règlement sont abrogés.

### 3. Les formules 1 à 24 du Règlement sont abrogées et remplacées par ce qui suit :

## Form 1

## Mining Act

## APPLICATION TO RECORD STAKED MINING CLAIM(S)

Ministry of  
Northern Development  
and Mines

Mining Act, Subsection 44(1), R.S.O. 1990

Part A

Received Stamp

Personal information collected on this form is obtained under the authority of subsection 44(1) of the Mining Act. Under section 8 of the Mining Act, the information is a public record. This information will be used to correspond with the claim holder. Questions about this collection should be directed to the Chief Mining Recorder, Ministry of Northern Development and Mines, 8th Floor, 933 Ramsey Lake Road, Sudbury, P3E 6B5.

Name of Recording Licensee

Transaction No.

Address: Street, City/Town/Village, Province, Postal Code

Licence No.

Telephone No.

Client No.

Name and Address for Service in Ontario: (Required if Recording Licensee Resides Outside of Ontario)

Name of Recorded Holder:

☐ same as above or:

Percent Held

Transaction No.

Address: Street, City/Town/Village, Province, Postal Code

Client No.

Telephone No.

Name and Address for Service in Ontario: (Required if Recorded Holder Resides Outside of Ontario)

Mining Division

Township(s) or Area(s) (Show Plan No.)

Group Claim Number	Tag Number	No. of 16 Ha. Units in Claim	Description if Staking in Subdivided Township (Lot No., Concession No., Section of Lot)	Staking			Office Use
				Post No.	Date	Time	
				Commenced		a.m.	
						p.m.	
				Completed		a.m.	
						p.m.	
				Commenced		a.m.	
						p.m.	
				Completed		a.m.	
						p.m.	
				Commenced		a.m.	
						p.m.	
				Completed		a.m.	
						p.m.	
				Commenced		a.m.	
						p.m.	
				Completed		a.m.	
						p.m.	
				Commenced		a.m.	
						p.m.	
				Completed		a.m.	
						p.m.	

Office Use Only



Example Sketch

Scale: 1:20,000

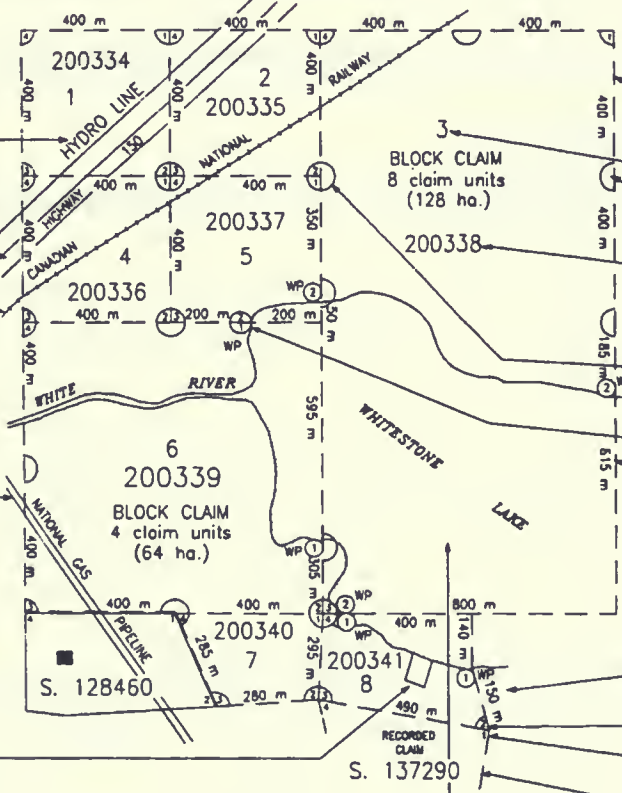
Complete the group sketch in Part D using this as a guide. Where applicable, the items indicated below must be shown in the sketch



Location of Claims
Township/Area Name (Show lot and concession lines and numbers if township is subdivided)

Good Township

Developments
SUCH AS:
Hydro lines
Highways (and roads)
Railway lines
Pipeline
Summer cottages (or other buildings)



Claim Information
SUCH AS:
Claim line
Group claim number
Line post
Tag number if claim is pre-tagged
Common post
Witness post
Common Witness Post
Witness distance
Distance between posts.
Corner post
Tie-on Post Found
Tie-ons to existing claims

Topographic Features
Such as: Lakes, rivers, creeks, ponds, etc.

NOTE: - In unusual circumstances please consult the mining recorder.  
- The sketch may require an attachment.

Group claim Nos. 1, 2, 4, 5, 7 and 8 indicate claims staking individual claim units (16 ha.)  
Group claim No. 3 indicates a block claim staking 8 claim units (128 ha.)  
Group claim No. 6 indicates a block claim staking 4 claim units (64 ha.)

Part C

**Certificate of Recording Licensee**  
Mining Act

I, the undersigned hereby certify that:

1. My prospector's licence is valid.
2. I staked out or caused to be staked out in accordance with the Mining Act and the regulations the mining claim(s) on the lands described and shown in my application and on the sketch or plan on Part D.
3. I was personally on the ground during the staking of the lands.
4. The distances given in my application and sketch or plan on Part D are as accurate as could reasonable be ascertained.
5. All other statements and particulars herein set forth in my application and shown on the sketch or plan on Part D are true and correct.
6. At the time of staking there was nothing upon the lands to indicate that they were not open to be staked and I believe they were so open.
7. The staking is valid and should be recorded.
8. There are upon the lands staked, no buildings, clearings or improvements for farming or other purposes except as follows and indicated on the sketch or plan on Part D.

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9. The names and licence numbers of all persons, if applicable, who assisted in the staking are listed below:

Name	Licence No.	Name	Licence No.

10. ☐ I have staked without using tags. (NOTE: Tags are to be affixed as soon as possible after recording, but not later than six months after recording.)  
or  
☐ I have staked using tags.

Signature of Recording Licensee

Date

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**Sketch**

Part D

**Please complete sketch in ink.**

- Where applicable, the items indicated on the sample sketch on Part B must be shown.
- Group Sketch of claims listed on Part A. Sketch or plan of the mining claim(s) must show the corner posts, witness posts, and line posts, and the distances between the posts in metres.
- Include topographic features such as lakes rivers, creeks, ponds, etc. and developments such as hydro lines, highways, railways, pipelines, buildings, etc. as shown on sketch in part B.
- Refer to sample sketch on Part B.

**Magnetic Declination Used**  
(For current data, ask at the  
Recorder's Office.)**Scale**

## Formule 1

## Loi sur les mines

## DEMANDE D'ENREGISTREMENT D'UN CLAIM JALONNÉ

Ministère du  
Développement du Nord  
et des Mines

Loi sur les mines, paragraphe 44(1), L.R.O. 1990

Partie A

Cachet - reçu

Les renseignements personnels contenus dans la présente formule sont recueillis en vertu du paragraphe 44 (1) de la Loi sur les mines. Au termes de l'article 8 de la Loi, le public a accès à ces renseignements, qui serviront à correspondre avec le titulaire de claim. Adressez toute question sur la collecte de ces renseignements au registraire de claims en chef, ministère du Développement du Nord et des Mines, 8<sup>e</sup> étage, 933 Ramsey Lake Road, Sudbury (Ontario) P3E 8B5.

Nom du titulaire de permis procédant à l'enregistrement

Numéro de transaction

Adresse : Numéro et rue, cité/ville/village, province, code postal

N° de permis

N° de téléphone

N° de client

Nom et adresse du domicile élu en Ontario si le titulaire de permis procédant à l'enregistrement ne réside pas en Ontario

Nom du titulaire enregistré :

Part détenue (en pourcentage)

Numéro de transaction

☐ Identique au précédent ou :

Adresse : Numéro et rue, cité/ville/village, province, code postal

N° de client

Numéro de téléphone

Nom et adresse du domicile élu en Ontario si le titulaire enregistré ne réside pas en Ontario

Division des mines

Canton(s) ou secteur(s) (indiquer le n° du plan)

Numéro d'identification	Numéro d'étiquette	Nombre d'unités de 10 hectares par claim	Description s'il s'agit d'un jalonement dans un canton subdivisé (n° de lot, n° de concession, section de lot)	Jalonement			À l'usage du bureau
				N° de poteau	Date	Heure	
				Début		a.m.	
						p.m.	
				Fin		a.m.	
						p.m.	
				Début		a.m.	
						p.m.	
				Fin		a.m.	
						p.m.	
				Début		a.m.	
						p.m.	
				Fin		a.m.	
						p.m.	
				Début		a.m.	
						p.m.	
				Fin		a.m.	
						p.m.	
				Début		a.m.	
						p.m.	
				Fin		a.m.	
						p.m.	

À l'usage du bureau :



Échelle : 1 : 20 000



国天文学会

### - Canton Good

Chalets d'été  
(ou autres  
bâtiments)

Poteau d'angle  
Rattachements  
à des clairs  
existants

Exemples : Lacs, rivières, ruisseaux, étangs, etc.

Les numéros d'identification 7 et 8 indiquent des claims jalonnés en unités individuelles (16 ha)

Partie C

**Certificat du titulaire de permis procédant à l'enregistrement****Loi sur les mines**

Je soussigné(e) fais la déclaration suivante :

1. Mon permis de prospecteur est valide.
2. J'ai jalonné ou fait jalonner, conformément à la Loi sur les mines et les règlements, le ou les claims qui se trouvent sur les terrains décrits dans ma demande et indiqués sur l'esquisse ou le plan figurant à la partie D.
3. J'étais sur place pendant le jalonnement des terrains.
4. Les distances données dans ma demande et sur l'esquisse ou le plan figurant à la partie D sont aussi justes qu'il a été possible de le déterminer.
5. Les autres déclarations et détails précisés dans ma demande et indiqués sur l'esquisse ou le plan figurant à la partie D sont exacts.
6. Au moment du jalonnement, rien sur les terrains n'indiquait qu'ils n'étaient pas ouverts au jalonnement et je crois qu'ils l'étaient.
7. Le jalonnement est valide et devrait être enregistré.
8. Il n'existe sur les terrains jalonnés aucun bâtiment, aucun secteur de défrichement ni aucun aménagement, notamment à des fins agricoles, sauf ceux qui sont précisés ci-dessous et indiqués sur l'esquisse ou le plan figurant à la partie D :

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9. Le nom et le numéro de permis de toutes les personnes qui ont participé au jalonnement sont indiqués ci-dessous : (s'il y a lieu)

Nom	N° de permis	Nom	N° de permis

10. ☐ J'ai fait le jalonnement sans utiliser d'étiquettes. (NOTA : Les étiquettes doivent être fixées le plus rapidement possible après l'enregistrement et au plus tard six mois après l'enregistrement.)
- ou
- ☐ J'ai fait le jalonnement en utilisant des étiquettes.

Signature du titulaire de permis procédant à l'enregistrement

Date

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**Esquisse**

Partie D

**Tracez l'esquisse à l'encre.**

- Indiquez les éléments figurant sur l'exemple d'esquisse s'il y a lieu (partie B).
- Esquisse du groupe de claims figurant à la partie A. L'esquisse ou le plan du ou des claims doit indiquer les poteaux d'angle, les poteaux indicateurs et les poteaux de ligne de démarcation, ainsi que la distance entre les poteaux, exprimée en mètres.
- Incluez les caractéristiques topographiques telles que les lacs, rivières, ruisseaux, étangs, etc. et les aménagements tels que les lignes de transport d'électricité, voies publiques, voies ferrées, pipelines, bâtiments, etc. (voir l'esquisse à la partie B).
- Reportez-vous à l'exemple d'esquisse à la partie B.

**Déclinaison magnétique utilisée**  
(Pour obtenir les données actuelles, adressez-vous du bureau du registraire.)

**Échelle**

## Form 2

## Mining Act

## TRANSFER OF UNPATENTED MINING CLAIM(S)

Ministry of  
Northern Development  
and Mines

Transaction No.

## Mining Act, Section 59, R.S.O. 1990

Personal information collected on this form is obtained under the authority of section 59 of the Mining Act. Under section 8 of the Mining Act, this information is a public record. Questions about this collection should be addressed to the Chief Mining Recorder, Mining Lands, Ministry of Northern Development and Mines, Sixth Floor, 933 Ramsey Lake Road, Sudbury, Ontario, P3E 6B5.

I, \_\_\_\_\_ (client number \_\_\_\_\_) the recorded holder  
of \_\_\_\_\_ % interest, in consideration of \_\_\_\_\_ dollars or other valuable consideration paid to me,  
hereby transfer \_\_\_\_\_ % interest in ( ) mining claim(s) numbered:

(claim numbers must be listed separately; attach schedule if required)

In \_\_\_\_\_ to \_\_\_\_\_ as transferee  
(specify township or area)

Transferee's Address	Transferee's Telephone No. ( )
	Transferee's Client Number

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 199 \_\_\_\_\_.

Signature of Witness	Signature of Transferor
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Note: 1. The transfer must not be dated and executed before the date of recording of the mining claim.

2. If the transferee is not a resident of Ontario, show here the name of the person who is a resident of Ontario upon whom service may be made.

Name	Telephone ( )
Residence in Ontario	
Mailing Address in Ontario	



**Affidavit of Subscribing Witness**

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_  
in the \_\_\_\_\_ of \_\_\_\_\_ make oath and say (or affirm):

1. I was personally present and did see the attached instrument signed and executed by \_\_\_\_\_  
one of the parties of the instrument.
2. The attached instrument was executed at \_\_\_\_\_
3. I know the above-mentioned party.
4. I am a subscribing witness to the attached instrument.

Sworn (or affirmed) before me at \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_ 199 \_\_\_\_\_.

Signature of Witness	Commissioner/Notary Public
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- Note: 1. The subscribing witness must be a person other than the transferee.  
2. The commissioner or notary public must be a person other than the transferee.  
3. The signature and affidavit of a subscribing witness is not required if the transferor  
is a corporation and the corporate seal is affixed over the signature of an officer  
of the corporation on the transfer document.

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**For Office Use Only**

## Formule 2

## Loi sur les mines

## CESSION D'UN CLAIM NON CONCÉDÉ PAR LETTRES PATENTES

Ministère du  
Développement du Nord  
et des Mines

N° de transaction

## Loi sur les mines, article 59, L.R.O. 1990

Les renseignements personnels contenus dans la présente formule sont recueillis en vertu de l'article 59 de la Loi sur les mines. En vertu de l'article 8 de la Loi sur les mines, ces renseignements font partie des dossiers publics. Adresser toute question sur la collecte de ces renseignements au registraire en chef de claims miniers, Section des terrains miniers, ministère du Développement du Nord et des Mines, 933, chemin du lac Ramsey, 6<sup>e</sup> étage, Sudbury (Ontario) P3E 6B5.

Je soussigné(e), \_\_\_\_\_ (numéro de client \_\_\_\_\_), titulaire enregistré d'un intérêt de \_\_\_\_\_, en contrepartie de \_\_\_\_\_ dollars ou à un autre titre onéreux qui m'est versé, cède par (préciser le pourcentage) la présente un intérêt de \_\_\_\_\_ dans ( ) claim(s) portant les numéros (préciser le pourcentage)

(les claims doivent être énumérés séparément; joindre une annexe au besoin)

dans \_\_\_\_\_ à \_\_\_\_\_, à titre de concessionnaire (préciser le canton ou le secteur)

Adresse du cessionnaire	Numéro de téléphone du cessionnaire ( )
	Numéro de client du cessionnaire

Fait à \_\_\_\_\_, le \_\_\_\_\_ 199 \_\_\_\_\_.

Signature du témoin	Signature du cédant
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Remarque : 1. La cession ne doit pas être datée ni exécutée avant la date d'enregistrement du claim.  
2. Si le cessionnaire n'est pas un résident de l'Ontario, indiquer ci-dessous le nom d'un résident de l'Ontario à qui la signification peut être faite.

Nom	Numéro de téléphone ( )
Adresse résidentielle en Ontario	
Adresse postale en Ontario	



**Affidavit du témoin signataire**

Je soussigné(e), \_\_\_\_\_, de \_\_\_\_\_ de \_\_\_\_\_

dans le \_\_\_\_\_ de \_\_\_\_\_ déclare sous serment (ou affirme solennellement) ce qui suit :

1. J'ai assisté personnellement à la signature et à la passation de l'acte ci-annexé par \_\_\_\_\_ partie à l'acte.
2. L'acte annexé a été passé à \_\_\_\_\_
3. Je connais la partie mentionnée ci-dessus.
4. Je suis un témoin signataire de l'acte annexé.

Déclaré sous serment (ou affirmé solennellement) devant moi à \_\_\_\_\_ dans le \_\_\_\_\_

de \_\_\_\_\_ le \_\_\_\_\_ 199 \_\_\_\_\_.

Signature du témoin	Commissaire aux affidavits/notaire
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- Remarque : 1. Le témoin signataire ne doit pas être le cessionnaire.  
2. Le commissaire aux affidavits ou le notaire ne doit pas être le cessionnaire.  
3. La signature et l'affidavit d'un témoin signataire ne sont pas nécessaires si le cédant est une personne morale et que son sceau est apposé sur la signature d'un de ses dirigeants sur le document de cession.

Réservé au bureau

Nota: Dans cette formule, lorsqu'il désigne des personnes, le masculin est utilisé au sens neutre

## Form 3

## Mining Act

DECLARATION OF ASSESSMENT WORK  
PERFORMED ON MINING LANDMinistry of  
Northern Development  
and Mines

Mining Act, Subsections 85(2) and 86(3), R.S.O. 1990

Transaction Number (office use)

AFRI

Personal information collected on this form is obtained under the authority of subsections 85(2) and 86(3) of the Mining Act. Under section 8 of the Mining Act, the information is a public record. This information will be used to review the assessment work and correspond with the mining land holder. Questions about this collection should be directed to the Chief Mining Recorder, Ministry of Northern Development and Mines, 6th Floor, 933 Ramsey Lake Road, Sudbury, P3E 6B5.

Instructions: - For work performed on Crown Lands before recording a claim, use form 0240.  
- Please type or print in ink.

## 1. Recorded holder(s) (Attach a list if necessary)

Name	Client Number
Address	Telephone Number
	Fax Number
Name	Client Number
Address	Telephone Number
	Fax Number

## 2. Type of work performed. Check (✓) and report on only ONE of the following groups for this declaration:

☐ Geotechnical: prospecting, surveys, assays and work under section 18 (regs) ☐ Physical: drilling, stripping, trenching and associated assays ☐ Rehabilitation

Work Type		Office Use	
		Commodity	
		Total \$ Value of Work Claimed	
Dates Work Performed		NTS Reference	
From	To		
Day   Month   Year	Day   Month   Year		
GPS Data (If available)		Mining Division	
Township/Area		Resident Geologist District	
M or G-Plan Number			

Please remember to: - obtain a work permit from the Ministry of Natural Resources as required;  
- provide proper notice to surface rights holders before starting work;  
- complete and attach a Statement of costs form;  
- provide a map showing contiguous mining lands that are linked for assigning work;  
- include two copies of your technical report.



**3. Person or companies who prepared the technical report (Attach a list if necessary)**

Name	Telephone Number
Address	Fax Number
Name	Telephone Number
Address	Fax Number
Name	Telephone Number
Address	Fax Number

**4. Certification by Recorded Holder or Agent**

I, \_\_\_\_\_, do hereby certify that I have personal knowledge of the facts set forth in this Declaration of Assessment Work having caused the work to be performed or witnessed the same during or after its completion and, to the best of my knowledge, the annexed report is true.

Signature of Recorded Holder or Agent	Date
Agent's Address	Telephone Number
	Fax Number

**5. Work to be recorded and distributed.** Work can only be assigned to claims that are contiguous (adjoining) to the mining land where work was performed, at the time work was performed. A map showing the contiguous link must accompany this form.

Mining Claim Number. Or if work was done on other eligible mining land, show in this column the location number indicated on the claim map.		Number of Claim Units. For other mining land, list hectares.	Value of work performed on this claim or other mining land.	Value of work applied to this claim	Value of work assigned to other mining claims	Bank. Value of work to be distributed at a future date.
eg	TB 7827	16 ha	\$26,825	N/A	\$24,000	\$2,825
eg	1234567	12	0	\$24,000	0	0
eg	1234568	2	\$ 8,892	\$ 4,000	0	\$4,892
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Column Totals						

I, \_\_\_\_\_, do hereby certify that the above work credits are eligible under subsection 7 (1) of the Assessment Work Regulation for assignment to contiguous claims or for application to the claim where the work was done.

Signature of Recorded Holder or Agent Authorized in Writing

Date



**6. Instructions for cutting back credits that are not approved.**

Some of the credits claimed in this declaration may be cut back. Please check ( ✓ ) in the boxes below to show how you wish to prioritize the deletion of credits:

- ☐ 1. Credits are to be cut back from the Bank first, followed by option 2 or 3 or 4 as indicated.
- ☐ 2. Credits are to be cut back starting with the claims listed last, working backwards; or
- ☐ 3. Credits are to be cut back equally over all claims listed in this declaration; or
- ☐ 4. Credits are to be cut back as prioritized on the attached appendix or as follows (describe):

Note: If you have not indicated how your credits are to be deleted, credits will be cut back from the Bank first, followed by option #2 if necessary.

**For Office Use Only**

Received Stamp	Deemed Approved Date	Date Notification Sent
	Date Approved	Total Value of Credit Approved
	Approved for Recording by Mining Recorder (Signature)	

## Formule 3

## Loi sur les mines

DÉCLARATION D'EXÉCUTION DE TRAVAUX D'ÉVALUATION  
SUR DES TERRAINS MINIERsMinistère du  
Développement du Nord  
et des Mines

Numéro de transaction (à l'usage du bureau)

AIDE

Loi sur les mines,  
paragraphes 65 (2) et 66 (3), L.R.O. 1990

Les renseignements personnels contenus dans la présente formule sont recueillis en vertu des paragraphes 65 (2) et 66 (3) de la Loi sur les mines. Aux termes de l'article 8 de la Loi, le public a accès à ces renseignements, qui serviront à revoir les travaux d'évaluation et à correspondre avec le détenteur du terrain minier. Adressez toute question sur la collecte de ces renseignements au registraire de claims en chef, ministère du Développement du Nord et des Mines, 6<sup>e</sup> étage, 933 Ramsey Lake Road, Sudbury (Ontario), P3E 6B5.

**Directives :** - Si les travaux ont été exécutés sur des terres de la Couronne avant l'enregistrement d'un claim, remplissez la formule 0240.  
- Dactylographiez ou écrivez en lettres moulées à l'encre.

## 1. Titulaire(s) enregistré(s) (Joignez une liste au besoin)

Nom	N° de client
Adresse	N° de téléphone
	N° de télécopieur
Nom	N° de client
Adresse	N° de téléphone
	N° de télécopieur

## 2. Type de travaux exécutés. Cochez (✓) et décrivez UN SEUL des groupes suivants pour la présente déclaration :

☐ Travaux géotechniques : prospection, levés, essais et travaux exécutés en vertu de l'article 18 (règlements) ☐ Travaux physiques : forage, découverte, excavation de tranchées et essais connexes ☐ Réhabilitation

Type de travaux	Réservé au ministère	
	Matière première	
	Valeur totale en dollars des travaux demandée	
Dates d'exécution des travaux du Jour Mois Année au Jour Mois Année	Référence SNRC	
Données du SPG (si elles sont disponibles)	Canton/secteur	Division des mines
	N° de plan M ou G	District du géologue résident

N'oubliez pas : - d'obtenir un permis de travail du ministère des Richesses naturelles, le cas échéant;  
- de donner un avis adéquat aux titulaires de droits de surface avant le début des travaux;  
- de joindre à la présente l'État des coûts (formule 0212) dûment rempli;  
- de fournir une carte illustrant les terrains miniers contigus reliés entre eux pour l'affectation des travaux;  
- d'inclure deux exemplaires de votre rapport technique.



**3. Personne ou compagnies ayant préparé le rapport technique (Joignez une liste au besoin)**

Nom	N° de téléphone
Adresse	N° de télécopieur
Nom	N° de téléphone
Adresse	N° de télécopieur
Nom	N° de téléphone
Adresse	N° de télécopieur

**4. Attestation du titulaire enregistré ou du représentant**

Je soussigné, \_\_\_\_\_, atteste par la présente que j'ai une connaissance  
(nom en lettres moulées)  
directe des faits exposés dans la présente déclaration, car j'ai fait exécuter les travaux ou j'en ai constaté l'exécution pendant ou après leur achèvement. J'atteste aussi que, pour autant que je le sache, le rapport ci-annexé est exact.

Signature du titulaire enregistré ou du représentant		Date
Adresse du représentant	N° de téléphone	N° de télécopieur

5. Travaux devant être enregistrés et répartis. On ne peut affecter des travaux qu'à des claims contigus (adjacents) aux terrains miniers où des travaux ont été exécutés au moment de l'exécution des travaux. Il faut joindre à la présente formule une carte illustrant cette contiguïté.

Numéro de claim Si les travaux ont été exécutés sur d'autres terrains miniers admissibles, indiquez dans cette colonne le numéro d'emplacement figurant sur la carte des claims.		Nombre d'unités Pour les autres terrains miniers, indiquez le nombre d'hectares.	Valeur des travaux exécutés Sur ce claim ou sur d'autres terrains miniers.	Valeur des travaux appliquée à ce claim	Valeur des travaux affectée à d'autres claims	Réserve Valeur des travaux qui seront répartis à une date ultérieure.
p. ex.	TB 7827	16 ha	26 825 \$	s/o	24 000 \$	2 825 \$
p. ex.	1234567	12	0	24 000 \$	0	0
p. ex.	1234568	2	8 892 \$	4 000 \$	0	0
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Total des colonnes						

Je soussigné, \_\_\_\_\_, atteste que, aux termes du paragraphe 7 (1) du  
(nom et prénom en lettres moulées)

Règlement 6/96 sur les travaux d'évaluation, les crédits de jours de travail mentionnés ci-dessus peuvent être affectés à des claims contigus ou appliqués au claim où les travaux ont été exécutés.

Signature du titulaire enregistré ou du représentant autorisé par écrit

Date



**6. Directives concernant la réduction des crédits non approuvés.**

Certains des crédits demandés dans la présente déclaration pourraient être réduits. Veuillez cocher ci-dessous ( ✓ ) pour indiquer l'ordre dans lequel vous souhaitez que les crédits soient réduits :

- ☐ 1. Les crédits doivent être réduits en commençant par ceux en réserve, puis selon l'option 2, 3 ou 4, tel qu'indiqué.
- ☐ 2. Les crédits doivent être réduits en commençant par le dernier claim sur la liste; ou
- ☐ 3. Les crédits doivent être réduits également entre tous les claims figurant dans la présente déclaration.
- ☐ 4. Les crédits doivent être réduits selon l'ordre donné en annexe ou ci-après (précisez) :

Nota : Si vous n'avez pas choisi d'option, les crédits seront réduits en commençant par ceux en réserve, puis selon l'option n° 2 si nécessaire.

**Réservé au ministère**

Cachet reçu

Date de l'approbation prévue	Date d'envoi de l'avis
Date d'approbation	Valeur totale du crédit approuvé
Enregistrement approuvé par le registraire de claims (signature)	

## Form 4

## Mining Act

DECLARATION OF ASSESSMENT WORK  
PERFORMED ON CROWN LANDSMinistry of  
Northern Development  
and Mines

Mining Act, Subsection 66(2), R.S.O. 1990

Transaction Number (office use)

AFRI

Personal information collected on this form is obtained under the authority of subsection 66(2) of the Mining Act. Under section 8 of the Mining Act, the information is a public record. This information will be used to review the assessment work and correspond with the mining land holder. Questions about this collection should be directed to the Chief Mining Recorder, Ministry of Northern Development and Mines, 6th Floor, 933 Ramsey Lake Road, Sudbury, P3E 6B5.

Instructions: - For work performed on mining lands, use form 0241.  
- Please type or print in ink.

## 1. Recorded holder(s) (Attach a list if necessary)

Name	Client Number
Address	Telephone Number
	Fax Number
Name	Client Number
Address	Telephone Number
	Fax Number

2. Type of work performed. Only regional surveys and prospecting work are allowed on Crown Lands before recording. For work performed after recording a claim or on other mining lands, use form 0241.

Work Type		Office Use	
		Commodity	
		Total \$ Value of Work Claimed	
Dates Work Performed From Day Month Year To Day Month Year		NTS Reference	
GPS Data (If available)		Mining Division	
Township/Area		Resident Geologist District	
M or G-Plan Number			

Please remember to: - complete and attach a Statement of Costs, form 0212;  
- provide a map showing contiguous mining lands that are linked for assigning work;  
- include two copies of your technical report;  
- provide proper notice to surface rights holders before starting work.



**3. Person or companies who prepared the technical report (Attach a list if necessary)**

Name	Telephone Number
Address	Fax Number
Name	Telephone Number
Address	Fax Number
Name	Telephone Number
Address	Fax Number

**4. Certification by Recorded Holder or Agent**

I, \_\_\_\_\_, do hereby certify that I have personal knowledge of the facts set forth in this  
(Print Name)  
Declaration of Assessment Work having caused the work to be performed or witnessed the same during or after its  
completion and, to the best of my knowledge, the annexed report is true.

Signature of Recorded Holder or Agent	Date
Agent's Address	Telephone Number
	Fax Number

**5. Work to be recorded and distributed.** Work that is performed on Crown Lands that are subsequently staked as a mining claim, can be claimed at 100% of its value (state this amount in column "a" below). If work is performed on crown lands and not enclosed within a subsequently recorded claim, it can be claimed at 25% of its value (state this amount in column "b" below). Work can only be assigned to claims that are contiguous to (adjoining) the lands where work was performed at the time work was performed. A map showing the contiguous link must accompany this form.

Mining Claim Number	No. of Claim Units	Value of work performed before recording a mining claim		Value of work applied to this claim	Value of work assigned to other mining claims	Bank. Value of work to be distributed at a later date.
		(a) Work now within a claim. Show 100% of cost	(b) Work on adjacent crown lands. Show 25% of cost.			
eg 1234567	4	\$4980	\$725	\$1600	\$800	\$3305
eg 1234568	2	N/A	N/A	\$ 800	N/A	N/A
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Column Totals						

I, \_\_\_\_\_, do hereby certify that the above work credits are eligible under subsection 7 (1) of the Assessment Work Regulation for assignment to contiguous claims or for application to the claim where the work was done.

Signature of Recorded Holder or Agent Authorized in Writing

Date



6. Instructions for cutting back credits that are not approved.

Some of the credits claimed in this declaration may be cut back. Please check (✓) in the boxes below to show how you wish to prioritize the deletion of credits:

- ☐ 1. Credits are to be cut back from the Bank first, followed by option 2 or 3 or 4 as indicated.
- ☐ 2. Credits are to be cut back starting with the claims listed last, working backwards; or
- ☐ 3. Credits are to be cut back equally over all claims listed in this declaration; or
- ☐ 4. Credits are to be cut back as prioritized on the attached appendix or as follows (describe):

Note: If you have not indicated how your credits are to be deleted, credits will be cut back from the Bank first, followed by option #2 if necessary.

For Office Use Only

Received Stamp	Deemed Approved Date	Date Notification Sent
	Date Approved	Total Value of Credit Approved
	Approved for Recording by Mining Recorder (Signature)	

## Formule 4

## Loi sur les mines

**DÉCLARATION D'EXÉCUTION DE TRAVAUX D'ÉVALUATION  
SUR DES TERRES DE LA COURONNE**

Ministère du  
Développement du Nord  
et des Mines

Numéro de transaction (à l'usage du bureau)

RIDE

*Loi sur les mines,  
paragraphe 66 (2), L.R.O. 1990*

Les renseignements personnels contenus dans la présente formule sont recueillis en vertu du paragraphe 66 (2) de la Loi sur les mines. Aux termes de l'article 8 de la Loi, le public a accès à ces renseignements, qui serviront à revoir les travaux d'évaluation et à correspondre avec le détenteur du terrain minier. Adressez toute question sur la collecte de ces renseignements au registraire de claims en chef, ministère du Développement du Nord et des Mines, 6<sup>e</sup> étage, 933 Ramsey Lake Road, Sudbury (Ontario), P3E 6B5.

**Directives :** - Si les travaux ont été exécutés sur des terrains miniers, remplissez la formule 0241.  
- Dactylographiez ou écrivez en lettres moulées à l'encre.

**1. Titulaire(s) enregistré(s) (Joignez une liste au besoin)**

Nom	N° de client
Adresse	N° de téléphone
	N° de télécopieur
Nom	N° de client
Adresse	N° de téléphone
	N° de télécopieur

**2. Type de travaux exécutés.** Seuls les arpentages régionaux et les travaux de prospection sont permis sur les terres de la Couronne avant l'enregistrement d'un claim. Pour les travaux exécutés après l'enregistrement ou sur d'autres terrains miniers, remplissez la formule 0241.

Type de travaux	Réservé au ministère	
	Matière première	
	Valeur totale en dollars des travaux demandée	
Dates d'exécution des travaux de                      Jour    Mois    Année                      au                      Jour    Mois    Année	Référence SNRC	
Données du SPG (si elles sont disponibles)	Canton/secteur	Division des mines
	N° de plan M ou G	District du géologue résident

**N'oubliez pas :**

- de joindre à la présente l'État des coûts (formule 0212) dûment rempli;
- de fournir une carte illustrant les terrains miniers contigus reliés entre eux pour l'affectation des travaux;
- d'inclure deux exemplaires de votre rapport technique;
- de donner un avis adéquat aux titulaires de droits de surface avant le début des travaux.



**3. Personne ou compagnies ayant préparé le rapport technique (Joignez une liste au besoin)**

Nom	N° de téléphone
Adresse	N° de télécopieur
Nom	N° de téléphone
Adresse	N° de télécopieur
Nom	N° de téléphone
Adresse	N° de télécopieur

**4. Attestation du titulaire enregistré ou du représentant**

Je soussigné, \_\_\_\_\_, atteste par la présente que j'ai une connaissance  
(nom en lettres moulées)  
directe des faits exposés dans la présente déclaration, car j'ai fait exécuter les travaux ou j'en ai constaté l'exécution pendant ou après leur achèvement. J'atteste aussi que, pour autant que je le sache, le rapport ci-annexé est exact.

Signature du titulaire enregistré ou du représentant		Date
Adresse du représentant	N° de téléphone	N° de télécopieur

5. Travaux devant être enregistrés et répartis. On peut demander des crédits équivalant à 100 % de la valeur des travaux exécutés sur des terres de la Couronne qui ont été jalonnées par la suite pour constituer un claim (Indiquez ce montant dans la colonne -a- ci-dessous). Si les travaux ont été exécutés sur des terres de la Couronne qui n'ont pas été constituées par la suite en claim enregistré, on peut demander des crédits équivalant à 25 % de la valeur de ces travaux (Indiquez ce montant dans la colonne -b- ci-dessous). On ne peut affecter des travaux qu'à des claims contigus (adjacents) aux terrains où des travaux ont été exécutés au moment de l'exécution des travaux. Il faut joindre à la présente formule une carte illustrant cette contiguïté.

Numéro de claim		Nombre d'unités	Valeur des travaux exécutés avant l'enregistrement du claim		Valeur des travaux appliquée à ce claim	Valeur des travaux affectée à d'autres claims	Réserve Valeur des travaux qui seront répartis à une date ultérieure.
			a) Travaux exécutés sur des terres qui sont maintenant un claim. Inscrivez 100 % des coûts.	b) Travaux exécutés sur des terres de la Couronne adjacentes. Inscrivez 25 % des coûts.			
p. ex.	1234567	4	4980 \$	725 \$	1600 \$	800 \$	3305 \$
p. ex.	1234568	2	s/o	s/o	800 \$	s/o	s/o
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6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
Total des colonnes							

Je soussigné, \_\_\_\_\_, atteste que, aux termes du paragraphe 7 (1) du \_\_\_\_\_  
(nom et prénom en lettres moulées)

Règlement 6/96 sur les travaux d'évaluation, les crédits de jours de travail mentionnés ci-dessus peuvent être affectés à des claims contigus ou appliqués au claim où les travaux ont été exécutés.

Signature du titulaire enregistré ou du représentant autorisé par écrit

Date



**6. Directives concernant la réduction des crédits non approuvés.**

Certains des crédits demandés dans la présente déclaration pourraient être réduits. Veuillez cocher ci-dessous ( ✓ ) pour indiquer l'ordre dans lequel vous souhaitez que les crédits soient réduits :

- ☐ 1. Les crédits doivent être réduits en commençant par ceux en réserve, puis selon l'option 2, 3 ou 4, tel qu'indiqué.
- ☐ 2. Les crédits doivent être réduits en commençant par le dernier claim sur la liste; ou
- ☐ 3. Les crédits doivent être réduits également entre tous les claims figurant dans la présente déclaration.
- ☐ 4. Les crédits doivent être réduits selon l'ordre donné en annexe ou ci-après (précisez) :

Nota : Si vous n'avez pas choisi d'option, les crédits seront réduits en commençant par ceux en réserve, puis selon l'option n° 2 si nécessaire.

**Réservé au ministère**

Cachet reçu	Date de l'approbation prévue	Date d'envoi de l'avis
	Date d'approbation	Valeur totale du crédit approuvé
	Enregistrement approuvé par le registraire des claims (signature)	

## Form 5

*Mining Act*

## NOTICE OF INTENTION TO PERFORM ASSESSMENT WORK

Ministry of  
Northern Development  
and Mines

To \_\_\_\_\_ of \_\_\_\_\_

being the registered holder(s) of the surface rights of:

\_\_\_\_\_  
Lot/Concession/Township/Area

recorded as Mining Claim(s)

I, \_\_\_\_\_ of \_\_\_\_\_

being the holder of the above-mentioned mining claim(s) give notice as follows:

1. A review of the parcel register/abstract of title for the above-mentioned lands confirms that you are the registered holder of the surface rights to the lands.
2. It is my intention to carry out ground assessment work on the lands, commencing on/or about \_\_\_\_\_ in accordance with the Mining Act.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
Signature of Recorded Holder of Mining Claim(s)

**Note:** The Mining Act reads as follows:

If there is an owner of the surface rights of the land comprising a mining claim, where a holder of the mining claim first proposes to do ground assessment work on such land, the holder shall give notice in the prescribed form to the owner of the surface rights of the holder's intention to perform work.

A person who has given notice under this section may enter on the lands and perform the work at any time immediately following the day the notice is given.

\_\_\_\_\_  
Send This Sheet To The Mining Recorder

**Certificate Confirming Notice of  
Intention to Perform Assessment Work**

Transaction number

I, \_\_\_\_\_ of \_\_\_\_\_ certify that the annexed notice  
of my intention to perform assessment work was given to the holder of the surface rights on \_\_\_\_\_  
(Date)

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
Signature of Recorded Holder of Mining Claims(s)



## Formule 5

Loi sur les mines

## AVIS D'INTENTION D'EXÉCUTER DES TRAVAUX D'ÉVALUATION

Ministère du  
Développement du Nord  
et des Mines

À l'attention de \_\_\_\_\_ de \_\_\_\_\_

titulaire(s) enregistré(s) des droits de surface de :

Lot/concession/canton/secteur

enregistré comme claim(s)

Je soussigné(e), \_\_\_\_\_, de \_\_\_\_\_,

titulaire des claims mentionnés ci-dessus, donne avis que :

1. L'examen du registre des parcelles ou du relevé de titre pour les terrains mentionnés ci-dessus confirme que vous êtes le titulaire enregistré des droits de surface des terrains.
2. J'ai l'intention d'entreprendre des travaux d'évaluation du sol sur les terrains, vers le \_\_\_\_\_, conformément à la Loi sur les mines.

Fait à \_\_\_\_\_, le \_\_\_\_\_ 19 \_\_\_\_\_.

Signature du titulaire enregistré des claims

## Nota : Extrait de la Loi sur les mines

S'il existe un propriétaire des droits de surface du terrain comprenant un claim et qu'un titulaire du claim a l'intention d'exécuter des travaux d'évaluation du sol sur le terrain en question, le titulaire avise le propriétaire des droits de surface de son intention, selon la formule prescrite.

La personne qui a donné l'avis prévu au présent article peut entrer sur le terrain et y exécuter les travaux en tout temps dès le lendemain du jour où l'avis est donné.

Envoyez cette feuille au registraire de claims

Certificat attestant l'avis  
d'intention d'exécuter des travaux d'évaluation

N° de transaction

Je soussigné(e), \_\_\_\_\_, de \_\_\_\_\_, certifie que l'avis, ci-annexé, de mon intention d'exécuter des travaux d'évaluation a été donné au titulaire des droits de surface le \_\_\_\_\_ (Date).

Fait à \_\_\_\_\_, le \_\_\_\_\_ 19 \_\_\_\_\_.

Signature du titulaire enregistré des claims

**ONTARIO REGULATION 504/96**

made under the  
**PENSION BENEFITS ACT**

Made: November 20, 1996  
Filed: November 20, 1996

Amending Reg. 909 of R.R.O. 1990  
(General)

Note: Regulation 909 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Subsection 47 (3) of Regulation 909 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

1.1 The *MPPs Pension Act, 1996*.

**RÈGLEMENT DE L'ONTARIO 504/96**

pris en application de la  
**LOI SUR LES RÉGIMES DE RETRAITE**

pris le 20 novembre 1996  
déposé le 20 novembre 1996

modifiant le Règl. 909 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Le Règlement 909 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. Le paragraphe 47 (3) du Règlement 909 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la disposition suivante :

1.1 La *Loi de 1996 sur le régime de retraite des députés*.

49/96

**ONTARIO REGULATION 505/96**

made under the  
**INSURANCE ACT**

Made: November 20, 1996  
Filed: November 21, 1996

Amending O. Reg. 403/96  
(Statutory Accident Benefits Schedule—  
Accidents on or after November 1, 1996)

Note: Ontario Regulation 403/96 has been amended by Ontario Regulation 462/96.

1. Ontario Regulation 403/96 is amended by adding the following French version:

**RÈGLEMENT DE L'ONTARIO 505/96**

pris en application de la  
**LOI SUR LES ASSURANCES**

pris le 20 novembre 1996  
déposé le 21 novembre 1996

modifiant le Règl. de l'Ont. 403/96  
(Annexe sur les indemnités d'accident légales —  
accidents survenus le 1<sup>er</sup> novembre 1996 ou après ce jour)

Remarque : Le Règlement de l'Ontario 403/96 a été modifié par le Règlement de l'Ontario 462/96.

1. Le Règlement de l'Ontario 403/96 est modifié par adjonction de la version française suivante :

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2. Définitions et interprétation
3. Champ d'application

**PARTIE II****INDEMNITÉ DE REMPLACEMENT DE REVENU**

4. Critères d'admissibilité
5. Période d'indemnisation
6. Montant de l'indemnité
7. Paiements accessoires pour perte de revenu et montant maximal de l'indemnité
8. Calcul du revenu brut
9. Rajustement survenant après l'âge de 65 ans
10. Droit naissant après l'âge de 65 ans
11. Reprise temporaire d'un emploi

**PARTIE III****INDEMNITÉ DE PERSONNE SANS REVENU D'EMPLOI**

12. Indemnité de personne sans revenu d'emploi

**PARTIE IV****INDEMNITÉ DE SOIGNANT**

13. Indemnité de soignant

**PARTIE V****INDEMNITÉS POUR FRAIS MÉDICAUX, DE RÉADAPTATION ET DE SOINS AUXILIAIRES**

14. Indemnité pour frais médicaux
15. Indemnité de réadaptation
16. Indemnité de soins auxiliaires
17. Services de gestionnaire de cas
18. Durée des indemnités pour frais médicaux, de réadaptation et de soins auxiliaires
19. Plafond des indemnités pour frais médicaux, de réadaptation et de soins auxiliaires

**PARTIE VI****PAIEMENT D'AUTRES FRAIS**

20. Frais d'études engagés inutilement
21. Frais des personnes en visite
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PRESTATION DE DÉCÈS ET INDEMNITÉ  
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Formule 1 Évaluation des besoins en soins auxiliaires

**PARTIE I  
DISPOSITIONS GÉNÉRALES**

**TITRE**

1. Le présent règlement peut être cité sous le nom de *Annexe sur les indemnités d'accident légales — accidents survenus le 1<sup>er</sup> novembre 1996 ou après ce jour*.

**DÉFINITIONS ET INTERPRÉTATION**

2. (1) Les définitions qui suivent s'appliquent au présent règlement.

«accident» Incident au cours duquel l'usage ou la conduite d'une automobile cause directement une déficience ou endommagement directement un appareil médical ou dentaire, notamment des verres correcteurs, un dentier, un appareil auditif ou une prothèse. («accident»)

«automobile assurée» À l'égard d'une police de responsabilité automobile, s'entend de toute automobile couverte par la police. («insured automobile»)

«caractéristiques personnelles et professionnelles» S'entend notamment de ce qui suit :

a) les antécédents professionnels;

b) les études et la formation;

c) les aptitudes professionnelles;

d) les compétences professionnelles;

e) les capacités physiques;

f) les capacités cognitives;

g) les capacités linguistiques. («personal and vocational characteristics»)

«centre d'évaluation désigné» Centre d'évaluation désigné aux termes de l'article 52. («designated assessment centre»)

«chiropraticien» Personne que la loi autorise à exercer la chiropratique.  
(«chiropractor»)

«conjoint» S'entend au sens de la partie VI de la *Loi sur les assurances*.  
(«spouse»)

«déficience» Perte ou anomalie d'une structure ou d'une fonction psychique, physiologique ou anatomique. («impairment»)

«déficience invalidante» S'entend de l'un ou l'autre des états suivants :

- a) la paraplégie ou la quadriplégie;
- b) l'amputation des deux bras ou une autre déficience entraînant la perte totale et permanente de leur utilisation;
- c) l'amputation à la fois d'un bras et d'une jambe ou une autre déficience entraînant la perte totale et permanente de leur utilisation;
- d) la cécité complète;
- e) une déficience cérébrale qui, à l'égard d'un accident, se traduit :

(i) soit par un résultat de 9 ou moins selon la classification appelée «Glasgow Coma Scale», telle qu'elle figure dans l'ouvrage de B. Jennett et G. Teasdale intitulé *Management of Head Injuries*, Contemporary Neurology Series, volume 20, F.A. Davis Company, Philadelphia, 1981, d'après une épreuve administrée dans un délai raisonnable après l'accident par une personne formée à cette fin,

(ii) soit par un résultat de 2 (*vegetative*) ou 3 (*severe disability*) selon la classification appelée «Glasgow Outcome Scale», telle qu'elle figure dans l'article de B. Jennett et M. Bond intitulé *Assessment of Outcome After Severe Brain Damage*, Lancet i:480, 1975, d'après une épreuve administrée plus de six mois après l'accident par une personne formée à cette fin;

f) sous réserve des paragraphes (2) et (3), toute déficience ou combinaison de déficiences qui, selon l'ouvrage de l'American Medical Association intitulé *Guides to the Evaluation of Permanent Impairment*, 4th edition, 1993, se traduit par une déficience d'au moins 55 pour cent de l'organisme dans son ensemble;

g) sous réserve des paragraphes (2) et (3), toute déficience qui, selon l'ouvrage de l'American Medical Association intitulé *Guides to the Evaluation of Permanent Impairment*, 4th edition, 1993, se traduit par une déficience de catégorie 4 (*marked impairment*) ou de catégorie 5 (*extreme impairment*) causée par un trouble mental ou un trouble du comportement. («catastrophic impairment»)

«dentiste» Personne que la loi autorise à exercer la dentisterie.  
(«dentist»)

«gestionnaire de cas» Personne qui fournit des services liés à la coordination de biens ou de services dont une indemnité pour frais médicaux, de réadaptation ou de soins auxiliaires assure le paiement.  
(«case manager»)

«indemnité de personne sans revenu d'emploi» Indemnité prévue par la partie III. («non-earner benefit»)

«indemnité de réadaptation» Indemnité prévue par l'article 15.  
(«rehabilitation benefit»)

«indemnité de remplacement de revenu» Indemnité prévue par la partie II. («income replacement benefit»)

«indemnité de soignant» Indemnité prévue par la partie IV. («caregiver benefit»)

«indemnité de soins auxiliaires» Indemnité prévue par l'article 16.  
(«attendant care benefit»)

«indemnité pour frais funéraires» Indemnité prévue par l'article 26.  
(«funeral benefit»)

«indemnité pour frais médicaux» Indemnité prévue par l'article 14.  
(«medical benefit»)

«médecin» Personne que la loi autorise à exercer la médecine.  
(«physician»)

«membre d'une profession de la santé» Membre d'un ordre au sens de la *Loi de 1991 sur les professions de la santé réglementées*.  
(«member of a health profession»)

«optométriste» Personne que la loi autorise à exercer l'optométrie.  
(«optometrist»)

«personne assurée» À l'égard d'une police de responsabilité automobile, s'entend des personnes suivantes :

a) l'assuré nommément désigné, son conjoint, toute personne à la charge de l'un ou l'autre et toute personne mentionnée dans la police comme conducteur de l'automobile assurée, si l'assuré nommément désigné, la personne mentionnée comme conducteur, le conjoint ou la personne à charge, selon le cas :

(i) est impliqué dans un accident survenu en Ontario ou ailleurs dans lequel est aussi impliquée l'automobile assurée ou une autre automobile,

(ii) n'est pas impliqué dans un accident, mais subit une lésion psychique ou mentale à la suite d'un accident survenu en Ontario ou ailleurs qui a causé une lésion physique à son conjoint, son enfant, son petit-enfant, sa mère, son père, sa grand-mère, son grand-père, son frère, sa sœur ou une personne à sa charge ou à la charge de son conjoint;

b) dans le cas des accidents survenus en Ontario, une personne qui est impliquée dans un accident dans lequel est aussi impliquée l'automobile assurée;

c) dans le cas des accidents survenus hors de l'Ontario, une personne qui est une personne transportée dans l'automobile assurée et qui réside en Ontario ou y résidait à un moment donné au cours des 60 jours qui ont précédé l'accident. («insured person»)

«personne ayant besoin de soins» À l'égard d'une personne assurée, s'entend de toute autre personne qui a moins de 16 ans ou qui a besoin de soins en raison d'une incapacité physique ou mentale.  
(«person in need of care»)

«physiothérapeute» Personne que la loi autorise à exercer la physiothérapie. («physiotherapist»)

«plan de traitement» À l'égard de la personne assurée qui souffre d'une déficience à la suite d'un accident, s'entend d'un document rédigé par un membre d'une profession de la santé et qui comporte ce qui suit :

a) la description de la déficience;



- b) la description de toute invalidité qui résulte de la déficience et une estimation de la durée de l'invalidité;
- c) la description des biens et des services qui seront utilisés dans le cadre du traitement ou de la réadaptation de la personne assurée et la description des effets bénéfiques qu'on attend d'eux;
- d) le nom des personnes qui fourniront les biens et services;
- e) une estimation de la durée des services;
- f) une estimation du coût des biens et des services;
- g) le nom du membre d'une profession de la santé qui supervisera la mise en œuvre du plan de traitement;
- h) une déclaration d'un praticien de la santé indiquant qu'il approuve le plan de traitement et qu'à son avis les frais envisagés sont raisonnables et nécessaires aux fins du traitement ou de la réadaptation de la personne assurée;
- i) la déclaration exigée par le paragraphe 38 (3). («treatment plan»)

«praticien de la santé» À l'égard d'une déficience, s'entend d'un médecin ou, si la loi l'autorise à traiter cette déficience :

- a) d'un chiropraticien;
- b) d'un dentiste;
- c) d'un optométriste;
- d) d'un psychologue;
- e) d'un physiothérapeute. («health practitioner»)

«prestation de décès» Indemnité prévue par l'article 25. («death benefit»)

«psychologue» Personne que la loi autorise à exercer la psychologie. («psychologist»)

(2) Les alinéas f) et g) de la définition de «déficience invalidante» au paragraphe (1) ne s'appliquent à l'égard de la personne assurée qui souffre d'une déficience à la suite d'un accident que si, selon le cas :

- a) le praticien de la santé de la personne assurée déclare par écrit que l'état de celle-ci s'est stabilisé et qu'un traitement ne réussira vraisemblablement pas à l'améliorer;
- b) une période de trois ans s'est écoulée depuis l'accident.

(3) Pour l'application des alinéas f) et g) de la définition de «déficience invalidante» au paragraphe (1), si la déficience dont souffre la personne assurée n'est pas répertoriée dans l'ouvrage de l'American Medical Association intitulé *Guides to the Evaluation of Permanent Impairment*, 4th edition, 1993, elle est réputée la déficience répertoriée dans cet ouvrage qui se rapproche le plus de celle dont souffre la personne assurée.

(4) Pour l'application du présent règlement, une personne souffre d'une incapacité totale à mener une vie normale à la suite d'un accident seulement si, à la suite de celui-ci, elle souffre d'une déficience qui l'empêche de façon continue de s'adonner à la quasi-totalité des activités auxquelles elle s'adonnait habituellement avant l'accident.

(5) Pour l'application du présent règlement, une personne est employée si, en échange d'un traitement, d'un salaire ou d'une autre forme de rémunération ou d'avantage, elle occupe une charge ou un

emploi, y compris un emploi à son compte. Le terme «emploi» a un sens correspondant.

(6) Pour l'application du présent règlement, une personne est à la charge d'une autre personne si elle dépend essentiellement pour sa subsistance de l'aide financière ou des soins de cette autre personne ou du conjoint de celle-ci.

(7) Pour l'application du présent règlement, l'aide d'une personne s'entend en outre d'un membre de la famille ou d'un ami qui agit comme aide, même s'il ne possède pas de compétences particulières.

(8) Pour l'application du présent règlement, le versement d'une indemnité de cessation d'emploi ou d'une indemnité de licenciement ne constitue pas un paiement pour perte de revenu.

#### CHAMP D'APPLICATION

3. (1) Les indemnités énoncées au présent règlement doivent être offertes par chaque contrat dont fait foi une police de responsabilité automobile à l'égard des accidents qui surviennent le 1<sup>er</sup> novembre 1996 ou après ce jour.

(2) Les indemnités énoncées au présent règlement doivent être offertes à l'égard des accidents qui surviennent au Canada ou aux États-Unis d'Amérique ou sur un navire faisant la navette entre des ports du Canada ou des États-Unis d'Amérique.

(3) Les indemnités payables aux termes du présent règlement à l'égard d'une personne assurée doivent être versées par l'assureur qui est tenu de ce faire aux termes du paragraphe 268 (2) de la *Loi sur les assurances*.

(4) Sous réserve de la partie IX, l'assureur doit verser les indemnités prévues par le présent règlement malgré l'article 225, le paragraphe 233 (1), l'article 240 et le paragraphe 265 (3) de la *Loi sur les assurances*.

### PARTIE II INDEMNITÉ DE REMPLACEMENT DE REVENU

#### CRITÈRES D'ADMISSIBILITÉ

4. L'assureur verse une indemnité de remplacement de revenu à la personne assurée qui souffre d'une déficience à la suite d'un accident si elle répond à l'un ou l'autre des critères d'admissibilité suivants :

1. Elle était employée au moment de l'accident et souffre, à la suite de l'accident et dans les 104 semaines qui le suivent, d'une incapacité importante à accomplir les tâches essentielles de cet emploi.
2. Elle :
  - i. n'était pas employée au moment de l'accident,
  - ii. était employée pendant au moins 26 des 52 semaines qui ont précédé l'accident ou recevait des prestations en vertu de la *Loi sur l'assurance-emploi* (Canada) au moment de l'accident,
  - iii. avait au moins 16 ans ou était dispensée de la fréquentation scolaire aux termes de la *Loi sur l'éducation* au moment de l'accident,
  - iv. souffre, à la suite de l'accident et dans les 104 semaines qui le suivent, d'une incapacité importante à accomplir les tâches essentielles de l'emploi auquel elle a consacré le plus de temps pendant les 52 semaines qui ont précédé l'accident.

3. Elle :

- i. avait le droit, au moment de l'accident, de commencer à travailler dans l'année aux termes d'un contrat de travail légitime, conclu avant l'accident et attesté par écrit,
- ii. souffre, à la suite de l'accident et dans les 104 semaines qui le suivent, d'une incapacité importante à accomplir les tâches essentielles de l'emploi qu'elle avait le droit de commencer à occuper aux termes du contrat.

## PÉRIODE D'INDEMNISATION

5. (1) Sous réserve du paragraphe (2), une indemnité de remplacement de revenu est payable pendant la période au cours de laquelle la personne assurée souffre d'une incapacité importante à accomplir les tâches essentielles de l'emploi à l'égard duquel elle est admissible à cette indemnité aux termes de l'article 4.

(2) L'assureur n'est tenu de verser une indemnité de remplacement de revenu :

- a) ni pour la première semaine d'invalidité;
- b) ni pour une période d'invalidité de plus de 104 semaines, sauf si, à la suite de l'accident, la personne assurée souffre d'une incapacité totale à occuper un emploi qu'elle est raisonnablement apte à occuper en raison de ses études, de sa formation ou de son expérience;
- c) ni, dans le cas de la personne assurée qui est admissible à l'indemnité aux termes de la disposition 3 de l'article 4, pour la période qui précède le jour où elle aurait eu le droit de commencer à occuper l'emploi aux termes du contrat.

## MONTANT DE L'INDEMNITÉ

6. (1) Le montant de l'indemnité de remplacement de revenu est égal :

- a) pour chacune des 104 premières semaines d'invalidité, à 80 pour cent du revenu hebdomadaire net que la personne assurée a tiré d'un emploi, calculé conformément à l'article 61;
- b) pour chaque semaine suivant les 104 premières semaines d'invalidité, au plus élevé du montant précisé à l'alinéa a) et de 185 \$.

(2) L'assureur peut déduire du montant de l'indemnité de remplacement de revenu payable à la personne assurée 80 pour cent du revenu net que celle-ci a reçu à l'égard d'un emploi postérieur à l'accident.

(3) Pour l'application du paragraphe (2), le revenu net que la personne assurée a reçu à l'égard d'un emploi postérieur à l'accident est calculé en soustrayant les montants suivants du revenu brut qu'elle a reçu à l'égard de cet emploi :

- 1. La cotisation payable sur le revenu brut par la personne sous le régime de la *Loi sur l'assurance-emploi* (Canada).
- 2. La cotisation payable sur le revenu brut par la personne dans le cadre du *Régime de pensions du Canada* (Canada).
- 3. L'impôt sur le revenu payable sur le revenu brut par la personne sous le régime de la *Loi de l'impôt sur le revenu* (Canada) et de la *Loi de l'impôt sur le revenu* (Ontario).

(4) Pour l'application du paragraphe (2), le revenu net que la personne assurée a tiré d'un emploi à son compte qu'elle occupait au moment de l'accident est calculé sans déduire les dépenses suivantes :

- a) les dépenses qui n'étaient pas raisonnables ou nécessaires pour éviter une perte de revenu;
- b) les dépenses salariales qui ont été payées pour remplacer la participation active de la personne à l'entreprise, sauf dans la mesure où elles étaient raisonnables à cette fin;
- c) les dépenses non salariales de nature autre que les dépenses non salariales engagées avant l'accident ou qui leur étaient supérieures, sauf dans la mesure où elles étaient nécessaires pour éviter ou réduire les pertes résultant de l'accident.

(5) Si la personne assurée était employée à son compte au moment de l'accident et qu'elle subit, à la suite de l'accident, des pertes relatives à l'emploi à son compte, l'assureur ajoute au montant de l'indemnité de remplacement de revenu payable à la personne un montant égal à 80 pour cent de ces pertes.

(6) Pour l'application du paragraphe (5), les pertes relatives à un emploi à son compte sont calculées de la même manière que les pertes relatives à l'entreprise dans laquelle la personne était employée à son compte seraient calculées aux termes du paragraphe 9 (2) de la *Loi de l'impôt sur le revenu* (Canada) et aux termes de la *Loi de l'impôt sur le revenu* (Ontario), sans déduire les dépenses et pertes suivantes :

- a) les dépenses qui n'étaient pas raisonnables ou nécessaires pour éviter une perte de revenu;
- b) les dépenses salariales qui ont été payées pour remplacer la participation active de la personne à l'entreprise, sauf dans la mesure où elles étaient raisonnables à cette fin;
- c) les dépenses non salariales de nature autre que les dépenses non salariales engagées avant l'accident ou qui leur étaient supérieures, sauf dans la mesure où elles étaient nécessaires pour éviter ou réduire les pertes résultant de l'accident;
- d) les dépenses admissibles à titre de déductions pour amortissement ou de déductions relatives aux immobilisations admissibles;
- e) les pertes déductibles en vertu de l'article 111 de la *Loi de l'impôt sur le revenu* (Canada).

PAIEMENTS ACCESSOIRES POUR PERTE DE REVENU  
ET MONTANT MAXIMAL DE L'INDEMNITÉ

7. (1) Malgré le paragraphe 6 (1) mais sous réserve des paragraphes 6 (2) à (6), le montant hebdomadaire de l'indemnité de remplacement de revenu payable à une personne est égal au moindre des montants suivants :

- 1. Le montant calculé aux termes du paragraphe 6 (1), déduction faite des montants suivants :
  - i. les paiements hebdomadaires nets pour perte de revenu que la personne reçoit à la suite de l'accident aux termes des lois de n'importe quel ressort ou d'un régime de prestations pour le maintien du revenu,
  - ii. les paiements hebdomadaires nets pour perte de revenu que la personne ne reçoit pas mais qui lui sont offerts à la suite de l'accident aux termes des lois de n'importe quel ressort ou d'un régime de prestations pour le maintien du revenu, à moins que la personne n'ait demandé les paiements pour perte de revenu.
- 2. Le plus élevé des montants suivants :
  - i. 400 \$.



- ii. Le montant que fixe l'indemnité optionnelle de remplacement de revenu visée à l'article 27, s'il en a été souscrit une et qu'elle s'applique à la personne.

(2) Pour l'application de la disposition 1 du paragraphe (1), aucun des montants suivants ne doit être déduit du montant calculé aux termes du paragraphe 6 (1) :

- a) les prestations prévues par la *Loi sur l'assurance-emploi* (Canada) que la personne reçoit ou qui lui sont offertes;
- b) les paiements prévus par un régime de congés de maladie que la personne ne reçoit pas mais qui lui sont offerts;
- c) les paiements prévus par une loi sur les accidents du travail ou par un régime d'indemnisation des accidents du travail que la personne ne reçoit pas et auxquels elle n'a pas droit parce qu'elle a choisi d'intenter une action aux termes de cette loi ou de ce régime.

(3) Pour l'application du présent article, les paiements hebdomadaires nets pour perte de revenu sont calculés en soustrayant du montant hebdomadaire brut des paiements pour perte de revenu l'impôt sur le revenu payable sur ce montant par la personne sous le régime de la *Loi de l'impôt sur le revenu* (Canada) et de la *Loi de l'impôt sur le revenu* (Ontario).

(4) Pour l'application du paragraphe (3), la personne dont les paiements hebdomadaires nets pour perte de revenu doivent être calculés est réputée résider en Ontario.

#### CALCUL DU REVENU BRUT

8. (1) La personne assurée qui a droit à une indemnité de remplacement de revenu aux termes de la disposition 1 de l'article 4 et qui n'était pas employée à son compte à quelque moment que ce soit pendant les quatre semaines qui ont précédé l'accident désigne l'une des périodes suivantes :

- 1. Les quatre semaines qui ont précédé l'accident.
- 2. Les 52 semaines qui ont précédé l'accident.

(2) La personne assurée qui a droit à une indemnité de remplacement de revenu aux termes de la disposition 1 de l'article 4 et qui était employée à son compte à quelque moment que ce soit pendant les quatre semaines qui ont précédé l'accident désigne l'une des périodes suivantes :

- 1. Les 52 semaines qui ont précédé l'accident.
- 2. Le dernier exercice complet de l'entreprise dans laquelle la personne était employée à son compte qui a précédé l'accident, le cas échéant.

(3) Aux fins du calcul du montant de l'indemnité de remplacement de revenu d'une personne assurée, le revenu annuel brut tiré d'un emploi de la personne qui y est admissible aux termes de la disposition 1 de l'article 4 est réputé le montant suivant :

- 1. Dans le cas de la personne qui a désigné les quatre semaines qui ont précédé l'accident aux termes de la disposition 1 du paragraphe (1), son revenu brut tiré d'un emploi pour cette période, multiplié par 13.
- 2. Dans le cas de la personne qui a désigné les 52 semaines qui ont précédé l'accident aux termes de la disposition 2 du paragraphe (1) ou de la disposition 1 du paragraphe (2), son revenu brut tiré d'un emploi pour cette période.

- 3. Dans le cas de la personne qui a désigné le dernier exercice complet qui a précédé l'accident aux termes de la disposition 2 du paragraphe (2), son revenu brut tiré d'un emploi pour cet exercice.

(4) Aux fins du calcul du montant de l'indemnité de remplacement de revenu d'une personne assurée, le revenu annuel brut tiré d'un emploi de la personne qui y est admissible aux termes de la disposition 2 de l'article 4 est réputé son revenu brut tiré d'un emploi pour les 52 semaines qui ont précédé l'accident.

(5) Aux fins du calcul du montant de l'indemnité de remplacement de revenu d'une personne assurée, le revenu annuel brut tiré d'un emploi de la personne qui y est admissible aux termes de la disposition 3 de l'article 4 est réputé le revenu brut payable aux termes du contrat de travail, extrapolé de façon à obtenir un revenu annuel.

(6) Le calcul du revenu brut visé au paragraphe (3) ou (4) comprend les prestations reçues à l'égard de la période pertinente aux termes de la *Loi sur l'assurance-emploi* (Canada) ou d'une loi qu'elle remplace.

(7) Si une personne est admissible à une indemnité de remplacement de revenu aux termes et de la disposition 1 ou 2 de l'article 4 et de la disposition 3 de l'article 4, son revenu annuel brut tiré d'un emploi est calculé aux termes du paragraphe (3) ou (4), selon le cas, jusqu'au jour où elle aurait eu le droit de commencer à occuper un emploi aux termes du contrat visé à la disposition 3 de l'article 4. Par la suite, son revenu annuel brut tiré d'un emploi est calculé conformément au paragraphe (5).

#### RAJUSTEMENT SURVENANT APRÈS L'ÂGE DE 65 ANS

9. (1) Malgré les articles 6 et 7, si une personne reçoit une indemnité de remplacement de revenu immédiatement avant son 65<sup>e</sup> anniversaire, le montant hebdomadaire de l'indemnité est rajusté, à la date de cet anniversaire ou au deuxième anniversaire de la date à laquelle la personne a commencé à recevoir l'indemnité, soit la dernière de ces dates à survenir, selon la formule suivante :

$$A = B \times 0,02 \times C$$

où :

A = le montant hebdomadaire rajusté de l'indemnité de remplacement de revenu,

B = le montant hebdomadaire de l'indemnité de remplacement de revenu que la personne avait le droit de recevoir immédiatement avant le rajustement, y compris les ajouts exigés par le paragraphe 6 (5) mais sans faire les déductions permises par le paragraphe 6 (2),

C = le moindre des nombres suivants :

i. 35,

ii. le nombre d'années pendant lesquelles la personne était admissible à l'indemnité de remplacement de revenu avant le rajustement.

(2) L'indemnité de remplacement de revenu qui a été rajustée aux termes du paragraphe (1) est payable jusqu'au décès de la personne.

(3) L'article 5 et les paragraphes 6 (2) à (6) ne s'appliquent pas à l'indemnité de remplacement de revenu qui a été rajustée aux termes du paragraphe (1).

#### DROIT NAISSANT APRÈS L'ÂGE DE 65 ANS

10. (1) Malgré les articles 6 et 7, si une personne acquiert le droit à une indemnité de remplacement de revenu après avoir atteint l'âge de

65 ans, le montant hebdomadaire de l'indemnité est le montant calculé aux termes de l'article 7, multiplié par le facteur qui figure à la colonne 2 du tableau prévu au présent paragraphe en regard du nombre de semaines qui se sont écoulées depuis que la personne a acquis le droit à l'indemnité.

TABLEAU

COLONNE 1	COLONNE 2
Nombre de semaines écoulées depuis la naissance du droit	Facteur
Moins de 52 semaines	1,0
52 semaines ou plus, mais moins de 104 semaines	0,8
104 semaines ou plus, mais moins de 156 semaines	0,6
156 semaines ou plus, mais moins de 208 semaines	0,3
208 semaines ou plus	0,0

(2) L'indemnité de remplacement de revenu cesse d'être payable à une personne à laquelle s'applique le paragraphe (1) si plus de 208 semaines se sont écoulées depuis que la personne a acquis le droit à l'indemnité.

(3) Les paragraphes 6 (2) à (6) ne s'appliquent pas à l'indemnité de remplacement de revenu versée à la personne à laquelle s'applique le paragraphe (1).

#### REPRISE TEMPORAIRE D'UN EMPLOI

11. La personne qui reçoit une indemnité de remplacement de revenu peut reprendre ou commencer à occuper un emploi à n'importe quel moment au cours des 104 semaines qui suivent le début de l'invalidité à l'égard de laquelle l'indemnité est versée, sans qu'il soit porté atteinte à son droit de recevoir de nouveau des indemnités aux termes de la présente partie si, à la suite de l'accident, elle est incapable de continuer à occuper cet emploi.

### PARTIE III INDEMNITÉ DE PERSONNE SANS REVENU D'EMPLOI

12. (1) L'assureur verse une indemnité de personne sans revenu d'emploi à la personne assurée qui souffre d'une déficience à la suite d'un accident si elle répond à l'un ou l'autre des critères d'admissibilité suivants :

1. Elle souffre d'une incapacité totale à mener une vie normale à la suite de l'accident et dans les 104 semaines qui le suivent, et elle n'est pas admissible à une indemnité de remplacement de revenu.
2. Elle souffre d'une incapacité totale à mener une vie normale à la suite de l'accident et dans les 104 semaines qui le suivent, elle recevait une indemnité de soignant à la suite de l'accident et il n'y a plus de personne ayant besoin de soins.
3. Elle souffre d'une incapacité totale à mener une vie normale à la suite de l'accident et dans les 104 semaines qui le suivent et :
  - i. soit elle était inscrite à temps plein à un programme d'études élémentaire, secondaire ou postsecondaire au moment de l'accident,
  - ii. soit elle a terminé ses études moins d'un an avant l'accident et, après avoir terminé ses études et avant l'accident, elle n'était pas employée dans un emploi qui correspondait à ses études et à sa formation.

(2) Sous réserve du paragraphe (3), le montant de l'indemnité de personne sans revenu d'emploi est de 185 \$ pour chaque semaine pendant laquelle la personne assurée y a droit.

(3) Si une personne assurée est admissible à une indemnité de personne sans revenu d'emploi aux termes de la disposition 3 du paragraphe (1) et que plus de 104 semaines se sont écoulées depuis le début de l'invalidité, le montant de l'indemnité est de 320 \$ pour chaque semaine pendant laquelle la personne continue d'y avoir droit.

(4) L'assureur peut déduire les montants suivants du montant payable à la personne assurée à titre d'indemnité de personne sans revenu d'emploi :

1. Les paiements hebdomadaires nets pour perte de revenu que la personne reçoit à la suite de l'accident aux termes des lois de n'importe quel ressort ou d'un régime de prestations pour le maintien du revenu.
2. Les paiements hebdomadaires nets pour perte de revenu que la personne ne reçoit pas mais qui lui sont offerts à la suite de l'accident aux termes des lois de n'importe quel ressort ou d'un régime de prestations pour le maintien du revenu, à moins que la personne n'ait demandé les paiements pour perte de revenu.

(5) Pour l'application du paragraphe (4), les paragraphes 7 (2) et (3) s'appliquent avec les adaptations nécessaires.

(6) Sous réserve du paragraphe (7), l'indemnité de personne sans revenu d'emploi est payable pendant la période au cours de laquelle la personne assurée souffre d'une incapacité totale à mener une vie normale.

(7) L'assureur :

- a) n'est pas tenu de verser une indemnité de personne sans revenu d'emploi pour les 26 premières semaines qui suivent le début de l'incapacité totale à mener une vie normale;
- b) n'est pas tenu de verser une indemnité de personne sans revenu d'emploi pour toute période antérieure au 16<sup>e</sup> anniversaire de la personne assurée.

(8) Les articles 9 et 10 s'appliquent, avec les adaptations nécessaires, à une indemnité de personne sans revenu d'emploi. À cette fin, la mention au paragraphe 10 (1) de «le montant calculé aux termes de l'article 7» est réputée la mention du montant visé au paragraphe (2) du présent article.

### PARTIE IV INDEMNITÉ DE SOIGNANT

13. (1) L'assureur verse une indemnité de soignant à la personne assurée qui souffre d'une déficience à la suite d'un accident si elle répond aux critères d'admissibilité suivants :

1. Au moment de l'accident :
  - i. d'une part, elle résidait avec une personne ayant besoin de soins,
  - ii. d'autre part, elle était le soignant principal de la personne ayant besoin de soins et dispensait les soins gratuitement.
2. À la suite de l'accident et dans les 104 semaines qui le suivent, elle souffre d'une incapacité importante à dispenser les soins qu'elle dispensait au moment de l'accident.

(2) L'indemnité de soignant sert à payer les frais raisonnables et nécessaires qui sont engagés à la suite de l'accident pour s'occuper d'une personne ayant besoin de soins.



(3) Le montant de l'indemnité de soignant ne doit pas être supérieur :

a) pour la première personne ayant besoin de soins :

(i) à 250 \$ par semaine,

(ii) au montant que fixe l'indemnité optionnelle de soignant et de personne à charge visée à l'article 27, s'il en a été souscrite une et qu'elle s'applique à la personne assurée;

b) pour chaque autre personne ayant besoin de soins :

(i) à 50 \$ par semaine,

(ii) au montant que fixe l'indemnité optionnelle de soignant et de personne à charge visée à l'article 27, s'il en a été souscrite une et qu'elle s'applique à la personne assurée.

(4) L'assureur n'est tenu de verser une indemnité de soignant pour une période supérieure à 104 semaines d'invalidité que si, à la suite de l'accident, la personne assurée souffre d'une incapacité totale à mener une vie normale.

## PARTIE V INDEMNITÉS POUR FRAIS MÉDICAUX, DE RÉADAPTATION ET DE SOINS AUXILIAIRES

### INDEMNITÉ POUR FRAIS MÉDICAUX

14. (1) L'assureur verse une indemnité pour frais médicaux à la personne assurée qui souffre d'une déficience à la suite d'un accident.

(2) L'indemnité pour frais médicaux sert à payer tous les frais raisonnables et nécessaires qui sont engagés par la personne assurée ou pour son compte à la suite de l'accident pour ce qui suit :

a) les soins médicaux, chirurgicaux et dentaires, les services d'optométrie, de soins infirmiers, d'ambulance, d'audiométrie et d'orthophonie, ainsi que les services hospitaliers;

b) les services de chiropratique, de psychologie, d'ergothérapie et de physiothérapie;

c) les médicaments;

d) les verres correcteurs;

e) les dentiers et autres appareils dentaires;

f) les appareils auditifs, les fauteuils roulants ou autres aides à la mobilité, ainsi que les prothèses, les appareils orthétiques et autres appareils et accessoires fonctionnels;

g) le transport aller-retour de la personne assurée aux fins d'une séance de traitement, y compris le transport d'un aide, le cas échéant;

h) les autres biens et services de nature médicale dont la personne assurée a besoin.

(3) L'assureur n'est pas tenu de verser une indemnité pour frais médicaux dans le cas de biens ou de services de nature expérimentale.

(4) L'assureur n'est pas tenu de verser une indemnité pour frais médicaux aux termes de l'alinéa (2) a), b) ou h) pour les frais liés à des services professionnels fournis à la personne assurée s'ils sont supérieurs au taux ou au montant maximal qui figure dans la directive intitulée *Professional Fees Guidelines*, dans ses versions successives,

publiée dans la *Gazette de l'Ontario* par la Commission des assurances de l'Ontario.

(5) Sous réserve du paragraphe (6), l'assureur n'est tenu de verser une indemnité pour frais médicaux aux termes de l'alinéa (2) g) pour les frais de transport que s'ils sont autorisés par la directive intitulée *Directive concernant les frais de transport*, dans ses versions successives, publiée dans la *Gazette de l'Ontario* par la Commission des assurances de l'Ontario, et que s'ils sont calculés en appliquant les taux qui y sont énoncés.

(6) L'assureur n'est pas tenu de verser une indemnité pour frais médicaux aux termes de l'alinéa (2) g) pour les frais liés aux 50 premiers kilomètres de transport aller-retour, dans l'automobile de la personne assurée, aux fins d'une séance de traitement.

### INDEMNITÉ DE RÉADAPTATION

15. (1) L'assureur verse une indemnité de réadaptation à la personne assurée qui souffre d'une déficience à la suite d'un accident.

(2) L'indemnité de réadaptation sert à payer pour les mesures raisonnables et nécessaires que prend la personne assurée pour réduire ou éliminer les effets de toute invalidité résultant de la déficience ou pour faciliter sa réintégration dans sa famille, la société et le marché du travail.

(3) Les mesures visant la réintégration de la personne assurée dans le marché du travail comprennent des mesures qui sont raisonnables et nécessaires pour lui permettre :

a) soit d'occuper un emploi le plus semblable possible à celui qu'elle occupait avant l'accident;

b) soit de mener une vie professionnelle aussi normale que possible.

(4) L'assureur tient compte des caractéristiques personnelles et professionnelles de la personne assurée lorsqu'il détermine si une mesure est raisonnable et nécessaire pour l'application du paragraphe (3).

(5) L'indemnité de réadaptation sert à payer tous les frais raisonnables et nécessaires engagés par la personne assurée ou pour son compte à la suite de l'accident à une fin visée au paragraphe (2) pour ce qui suit :

a) l'initiation à la vie quotidienne;

b) la consultation en matière familiale;

c) la consultation en matière de réadaptation sociale;

d) la consultation en matière financière;

e) la consultation en matière d'emploi;

f) l'évaluation des aptitudes professionnelles;

g) la formation générale ou professionnelle;

h) la modification du lieu de travail et les appareils, notamment de communication, qui y sont installés afin de répondre aux besoins de la personne assurée;

i) la modification du domicile et les appareils, notamment de communication, qui y sont installés afin de répondre aux besoins de la personne assurée, ou l'achat d'une nouvelle habitation s'il est plus raisonnable, à cette fin, d'en acheter une que de rénover son habitation actuelle;

- j) la modification d'un véhicule afin de répondre aux besoins de la personne assurée, ou l'achat d'un nouveau véhicule s'il est plus raisonnable, à cette fin, d'en acheter un que de modifier un véhicule actuel;
- k) le transport aller-retour de la personne assurée aux fins d'une séance de consultation, d'une séance de formation ou d'une évaluation, y compris le transport d'un aide, le cas échéant;
- l) les autres biens et services dont la personne assurée a besoin, à l'exception des services fournis par un gestionnaire de cas.
- (6) L'assureur n'est pas tenu de verser une indemnité de réadaptation aux termes de l'un ou l'autre des alinéas (5) a) à g) ou de l'alinéa (5) l) pour les frais liés à des services professionnels fournis à la personne assurée s'ils sont supérieurs au taux ou au montant maximal qui figure dans la directive intitulée *Professional Fees Guidelines*, dans ses versions successives, publiée dans la *Gazette de l'Ontario* par la Commission des assurances de l'Ontario.
- (7) Pour l'application de l'alinéa (5) i), les frais engagés afin de rénover le domicile de la personne assurée sont réputés ne pas être des frais raisonnables et nécessaires si les rénovations ne visent qu'à lui donner accès aux parties du domicile qui ne sont pas nécessaires à la vie quotidienne.
- (8) Le montant de l'indemnité de réadaptation versé aux fins de l'achat d'une nouvelle habitation ne doit pas être supérieur à la valeur des rénovations qu'il aurait été nécessaire de faire à l'habitation actuelle de la personne assurée afin de répondre à ses besoins.
- (9) Pour l'application de l'alinéa (5) j), les frais engagés pour l'achat ou la modification d'un véhicule afin de répondre aux besoins de la personne assurée sont réputés ne pas être des frais raisonnables et nécessaires s'ils sont engagés dans les cinq ans qui suivent le moment où des frais ont été engagés la dernière fois à cette fin à l'égard du même accident.
- (10) Le montant de l'indemnité de réadaptation versé aux fins de l'achat d'un nouveau véhicule ne doit pas être supérieur au coût de celui-ci, déduction faite de la valeur de reprise du véhicule actuel.
- (11) Sous réserve du paragraphe (12), l'assureur n'est tenu de verser une indemnité de réadaptation aux termes de l'alinéa (5) k) pour les frais de transport que s'ils sont autorisés par la directive intitulée *Directive concernant les frais de transport*, dans ses versions successives, publiée dans la *Gazette de l'Ontario* par la Commission des assurances de l'Ontario, et que s'ils sont calculés en appliquant les taux qui y sont énoncés.
- (12) L'assureur n'est pas tenu de verser une indemnité de réadaptation aux termes de l'alinéa (5) k) pour les frais liés aux 50 premiers kilomètres de transport aller-retour, dans l'automobile de la personne assurée, aux fins d'une séance de consultation, d'une séance de formation ou d'une évaluation.

#### INDEMNITÉ DE SOINS AUXILIAIRES

16. (1) L'assureur verse une indemnité de soins auxiliaires à la personne assurée qui souffre d'une déficience à la suite d'un accident.
- (2) L'indemnité de soins auxiliaires sert à payer tous les frais raisonnables et nécessaires engagés par la personne assurée ou pour son compte à la suite de l'accident :
- a) soit pour des soins fournis par un aide;
  - b) soit pour des soins fournis par un établissement de soins prolongés, notamment une maison de soins infirmiers, un foyer pour personnes âgées ou un hôpital pour malades chroniques.

(3) Le paragraphe (2) ne s'applique pas aux frais dont le paiement peut être obtenu aux termes de l'alinéa 14 (2) g), 15 (5) k) ou 24 (1) c).

(4) Le montant mensuel payable au titre de l'indemnité de soins auxiliaires est calculé conformément à la formule 1.

(5) Le montant de l'indemnité de soins auxiliaires payable à l'égard de la personne assurée ne doit pas être supérieur :

- a) à 3 000 \$ par mois, si la personne assurée ne souffre pas d'une déficience invalidante à la suite de l'accident;
- b) à 6 000 \$ par mois, si la personne assurée souffre d'une déficience invalidante à la suite de l'accident.

#### SERVICES DE GESTIONNAIRE DE CAS

17. (1) Si la personne assurée souffre d'une déficience invalidante à la suite d'un accident, l'assureur paie tous les frais raisonnables et nécessaires engagés par elle ou pour son compte à la suite de l'accident pour les services fournis, conformément à un plan de traitement, par un gestionnaire de cas ayant les qualités requises.

(2) L'assureur n'est pas tenu, aux termes du paragraphe (1), de payer les frais liés à des services professionnels fournis à la personne assurée s'ils sont supérieurs au montant ou au taux maximal qui figure dans la directive intitulée *Professional Fees Guidelines*, dans ses versions successives, publiée dans la *Gazette de l'Ontario* par la Commission des assurances de l'Ontario.

#### DURÉE DES INDEMNITÉS POUR FRAIS MÉDICAUX, DE RÉADAPTATION ET DE SOINS AUXILIAIRES

18. (1) Aucune indemnité pour frais médicaux ou de réadaptation n'est payable pour les frais engagés :

- a) plus de 10 ans après l'accident, si la personne assurée avait 15 ans ou plus au moment de l'accident;
- b) après que la personne assurée a atteint l'âge de 25 ans, si elle avait moins de 15 ans au moment de l'accident.

(2) Aucune indemnité de soins auxiliaires n'est payable pour les frais engagés plus de 104 semaines après l'accident.

(3) Les paragraphes (1) et (2) ne s'appliquent pas à l'égard de la personne assurée qui souffre d'une déficience invalidante à la suite de l'accident.

(4) Les paragraphes (1) et (2) ne s'appliquent pas s'il a été souscrit l'indemnité optionnelle pour frais médicaux, de réadaptation et de soins auxiliaires visée à l'article 27 et qu'elle s'applique à la personne assurée.

#### PLAFOND DES INDEMNITÉS POUR FRAIS MÉDICAUX, DE RÉADAPTATION ET DE SOINS AUXILIAIRES

19. (1) La somme des indemnités pour frais médicaux et de réadaptation versées à l'égard de la personne assurée ne doit pas être supérieure, pour un même accident :

- a) à 100 000 \$;
- b) à 1 000 000 \$, si la personne assurée souffre d'une déficience invalidante à la suite de l'accident.

(2) Le montant de l'indemnité de soins auxiliaires versée à l'égard de la personne assurée ne doit pas être supérieur, pour un même accident :

- a) à 72 000 \$;



- b) à 1 000 000 \$, si la personne assurée souffre d'une déficience invalidante à la suite de l'accident.

(3) S'il a été souscrit l'indemnité optionnelle pour frais médicaux, de réadaptation et de soins auxiliaires visée à l'article 27 et qu'elle s'applique à la personne assurée, les plafonds qu'elle fixe s'appliquent alors au lieu des paragraphes (1) et (2).

(4) Pour l'application du paragraphe (1), les indemnités pour frais médicaux et de réadaptation versées à l'égard de la personne assurée comprennent tout montant versé à son égard aux termes de l'article 17.

## PARTIE VI PAIEMENT D'AUTRES FRAIS

### FRAIS D'ÉTUDES ENGAGÉS INUTILEMENT

20. (1) L'assureur paie les frais d'études engagés inutilement par la personne assurée qui souffre d'une déficience à la suite d'un accident ou pour son compte si les conditions suivantes sont réunies :

- a) au moment de l'accident, elle était inscrite à un programme d'études élémentaire, secondaire ou postsecondaire ou à un programme d'éducation permanente;
- b) à la suite de l'accident, elle est incapable de poursuivre ces études.

(2) Le montant payable aux termes du présent article ne doit pas être supérieur à 15 000 \$.

(3) La définition qui suit s'applique au présent article.

«frais d'études engagés inutilement» Frais engagés avant l'accident pour la scolarité, les livres, le matériel ou le gîte et le couvert à l'égard de l'année ou de la partie d'année à laquelle la personne assurée était inscrite au moment de l'accident, si les frais sont liés aux études qu'elle est incapable de poursuivre.

### FRAIS DES PERSONNES EN VISITE

21. (1) Si la personne assurée souffre d'une déficience à la suite d'un accident, l'assureur paie les frais raisonnables et nécessaires engagés par les personnes suivantes à la suite de l'accident pour rendre visite à la personne assurée pendant son traitement ou sa convalescence :

1. Le conjoint, les enfants, les petits-enfants, la mère, le père, la grand-mère, le grand-père, les frères et les sœurs de la personne assurée.
2. Toute personne vivant avec la personne assurée au moment de l'accident.
3. Toute personne qui a manifesté l'intention bien arrêtée de traiter la personne assurée comme un enfant de sa famille.
4. Toute personne que la personne assurée a manifesté l'intention bien arrêtée de traiter comme un enfant de sa famille.

(2) Aucun paiement n'est exigé aux termes du présent article pour les frais engagés plus de 104 semaines après l'accident.

(3) Le paragraphe (2) ne s'applique pas si la personne assurée souffre d'une déficience invalidante à la suite de l'accident.

### TRAVAUX MÉNAGERS ET ENTRETIEN DU DOMICILE

22. (1) L'assureur paie les frais supplémentaires raisonnables et nécessaires engagés par la personne assurée ou pour son compte à la suite d'un accident pour les travaux ménagers et les travaux d'entretien du domicile si, à la suite de l'accident, elle souffre d'une déficience qui entraîne une incapacité importante à effectuer ceux de ces travaux qu'elle effectuait normalement avant l'accident.

(2) Le montant payable aux termes du présent article ne doit pas être supérieur à 100 \$ par semaine.

(3) Aucun paiement n'est exigé aux termes du présent article pour les frais engagés plus de 104 semaines après le début de l'invalidité.

(4) Le paragraphe (3) ne s'applique pas si la personne assurée souffre d'une déficience invalidante à la suite de l'accident.

### DOMMAGES CAUSÉS AUX VÊTEMENTS, AUX VERRES, AUX APPAREILS AUDITIFS ET AUTRES

23. L'assureur paie tous les frais raisonnables engagés par la personne assurée ou pour son compte pour réparer ou remplacer, selon le cas :

- a) les vêtements que la personne assurée portait au moment de l'accident et qui ont été perdus ou endommagés à la suite de celui-ci;
- b) les appareils médicaux ou dentaires, notamment les verres correcteurs, les dentiers, les appareils auditifs et les prothèses, qui ont été perdus ou endommagés à la suite de l'accident.

### FRAIS D'EXAMEN

24. (1) L'assureur paie tous les frais raisonnables engagés par la personne assurée ou pour son compte pour l'application du présent règlement afin d'obtenir un examen ou une évaluation et d'y assister, ou d'obtenir un certificat, un rapport ou un plan de traitement, notamment :

- a) les droits exigés par toute personne qui procède à un examen ou une évaluation, ou qui fournit un certificat, un rapport ou un plan de traitement;
- b) les droits exigés par un centre d'évaluation désigné;
- c) les frais de transport engagés pour le transport aller-retour de la personne assurée aux fins d'un examen ou d'une évaluation, y compris les frais de transport d'un aide, le cas échéant.

(2) L'assureur n'est pas tenu, aux termes de l'alinéa (1) a) ou b), de payer les frais liés à des services professionnels fournis à la personne assurée s'ils sont supérieurs au montant ou au taux maximal qui figure dans la directive intitulée *Professional Fees Guidelines*, dans ses versions successives, publiée dans la *Gazette de l'Ontario* par la Commission des assurances de l'Ontario.

(3) Sous réserve du paragraphe (4), l'assureur n'est tenu, aux termes de l'alinéa (1) c), de payer les frais de transport que s'ils sont autorisés par la directive intitulée *Directive concernant les frais de transport*, dans ses versions successives, publiée dans la *Gazette de l'Ontario* par la Commission des assurances de l'Ontario, et que s'ils sont calculés en appliquant les taux qui y sont énoncés.

(4) L'assureur n'est pas tenu, aux termes de l'alinéa (1) c), de payer les frais liés aux 50 premiers kilomètres de transport aller-retour, dans l'automobile de la personne assurée, aux fins d'un examen ou d'une évaluation.

**PARTIE VII  
PRESTATION DE DÉCÈS ET INDEMNITÉ  
POUR FRAIS FUNÉRAIRES**

**PRESTATION DE DÉCÈS**

25. (1) L'assureur verse une prestation de décès à l'égard de la personne assurée si elle décède à la suite d'un accident :

- a) soit dans les 180 jours de l'accident;
- b) soit dans les 156 semaines de l'accident si, à la suite de celui-ci, elle a souffert d'une invalidité ininterrompue pendant cette période.

(2) La prestation de décès procure les paiements suivants :

1. Un paiement, fait au conjoint de la personne assurée :

- i. de 25 000 \$,
- ii. du montant que fixe l'indemnité optionnelle en cas de décès et pour frais funéraires visée à l'article 27, s'il en a été souscrit une et qu'elle s'applique à la personne assurée.

2. Un paiement, fait à chacune des personnes à la charge de la personne assurée et à chacune des personnes à laquelle elle était tenue, au moment de l'accident, de fournir des aliments aux termes d'un contrat familial ou d'une ordonnance judiciaire :

- i. de 10 000 \$,
- ii. du montant que fixe l'indemnité optionnelle en cas de décès et pour frais funéraires visée à l'article 27, s'il en a été souscrit une et qu'elle s'applique à la personne assurée.

3. Si aucun paiement n'est exigé par la disposition 1, un paiement supplémentaire de 25 000 \$, fait aux personnes à la charge de la personne assurée et aux personnes, autres qu'un ancien conjoint de la personne assurée, auxquelles elle était tenue, au moment de l'accident, de fournir des aliments aux termes d'un contrat familial ou d'une ordonnance judiciaire, divisé en parts égales entre les personnes qui y ont droit.

4. Un paiement de 10 000 \$, fait à chaque ancien conjoint de la personne assurée auquel elle était tenue, au moment de l'accident, de fournir des aliments aux termes d'un contrat familial ou d'une ordonnance judiciaire.

5. Un paiement de 10 000 \$, fait :

- i. soit à une personne qui avait la personne assurée à sa charge au moment de l'accident,
- ii. soit au conjoint d'une personne qui avait la personne assurée à sa charge au moment de l'accident, s'il était le soignant principal de la personne assurée au moment de l'accident et que la personne qui avait la personne assurée à sa charge à ce moment-là décède avant la personne assurée ou dans les 30 jours du décès de celle-ci,
- iii. soit aux personnes à la charge d'une personne qui avait la personne assurée à sa charge au moment de l'accident, si aucun paiement n'est exigé par la sous-disposition i ou ii, divisé en parts égales entre les personnes qui y ont droit.

(3) Aucun paiement ne doit être fait aux termes du présent article à la personne qui décède avant la personne assurée ou dans les 30 jours du décès de celle-ci.

(4) Si, au moment de l'accident, la personne assurée avait plus d'un conjoint qui a droit à un paiement aux termes du présent article, le paiement est divisé en parts égales entre eux.

(5) S'il le lui demande, la personne qui fait l'autopsie de la personne assurée remet une copie de son rapport à l'assureur.

(6) La définition qui suit s'applique au présent article :

«conjoint» Personne qui était un conjoint au moment de l'accident.

**INDEMNITÉ POUR FRAIS FUNÉRAIRES**

26. (1) L'assureur verse une indemnité pour frais funéraires à l'égard de la personne assurée qui décède à la suite d'un accident.

(2) L'indemnité pour frais funéraires sert à payer les frais funéraires engagés jusqu'à concurrence :

- a) de 6 000 \$;
- b) du montant que fixe l'indemnité optionnelle en cas de décès et pour frais funéraires visée à l'article 27, s'il en a été souscrit une et qu'elle s'applique à la personne assurée.

**PARTIE VIII  
INDEMNITÉS OPTIONNELLES**

**DESCRIPTION DES INDEMNITÉS OPTIONNELLES**

27. (1) Tous les assureurs doivent offrir les indemnités optionnelles suivantes :

1. Une indemnité optionnelle de remplacement de revenu qui fixe le montant visé à la sous-disposition ii de la disposition 2 du paragraphe 7 (1) à 600 \$, 800 \$ ou 1 000 \$, au choix de l'assuré nommément désigné aux termes de la police, aux fins du calcul du montant hebdomadaire de l'indemnité de remplacement de revenu.

2. Une indemnité optionnelle de soignant et de personne à charge qui :

- i. d'une part, fixe le paiement maximal pour les frais engagés pour s'occuper des personnes ayant besoin de soins à 325 \$ par semaine pour la première de ces personnes et à 75 \$ par semaine pour chaque personne supplémentaire, au lieu des montants précisés aux sous-alinéas 13 (3) a) (i) et 13 (3) b) (i),

- ii. d'autre part, prévoit l'indemnité de personne à charge visée à l'article 28.

3. Une indemnité optionnelle pour frais médicaux, de réadaptation et de soins auxiliaires qui prévoit les plafonds suivants pour les indemnités pour frais médicaux, de réadaptation et de soins auxiliaires, au lieu des plafonds précisés aux paragraphes 19 (1) et (2), sans limiter dans leur cas la période pour laquelle sont payés les frais engagés :

- i. La somme des indemnités pour frais médicaux et de réadaptation versées à l'égard de la personne assurée ne doit pas être supérieure, pour un même accident :

A. à 1 100 000 \$,

B. à 2 000 000 \$, si la personne assurée souffre d'une déficience invalidante à la suite de l'accident.

- ii. Le montant de l'indemnité de soins auxiliaires versée à l'égard de la personne assurée ne doit pas être supérieur, pour un même accident :



A. à 1 072 000 \$,

B. à 2 000 000 \$, si la personne assurée souffre d'une déficience invalidante à la suite de l'accident.

iii. Malgré les plafonds établis par les sous-dispositions i et ii, la somme des indemnités pour frais médicaux, de réadaptation et de soins auxiliaires versées à l'égard de la personne assurée pour un même accident ne doit pas être supérieure :

A. à 1 172 000 \$,

B. à 3 000 000 \$, si la personne assurée souffre d'une déficience invalidante à la suite de l'accident.

4. Une indemnité optionnelle en cas de décès et pour frais funéraires qui :

i. fixe le montant payable au conjoint du défunt à 50 000 \$, au lieu du montant précisé à la sous-disposition i de la disposition 1 du paragraphe 25 (2),

ii. fixe le montant payable à chacune des personnes à la charge du défunt et à chaque personne à laquelle celui-ci était tenu, au moment de l'accident, de fournir des aliments aux termes d'un contrat familial ou d'une ordonnance judiciaire à 20 000 \$, au lieu du montant précisé à la sous-disposition i de la disposition 2 du paragraphe 25 (2),

iii. fixe le montant maximal des frais funéraires à 8 000 \$, au lieu du montant précisé à l'alinéa 26 (2) a).

5. L'indemnité optionnelle d'indexation visée à l'article 29.

(2) Les indemnités optionnelles visées au paragraphe (1) ne s'appliquent qu'aux personnes suivantes :

- a) l'assuré nommément désigné;
- b) le conjoint de l'assuré nommément désigné;
- c) les personnes à la charge de l'assuré nommément désigné et de son conjoint;
- d) les personnes précisées dans la police comme conducteurs de l'automobile assurée.

(3) Il peut être souscrit une indemnité optionnelle à n'importe quel moment avant un accident visé par une demande de règlement.

(4) Pour l'application de la disposition 3 du paragraphe (1), les suppléments raisonnables et nécessaires engagés par la personne assurée ou pour son compte à la suite d'un accident pour s'occuper des personnes à sa charge si elle répond aux critères d'admissibilité suivants :

#### INDEMNITÉ DE PERSONNE À CHARGE

28. (1) L'indemnité de personne à charge sert à payer les frais supplémentaires raisonnables et nécessaires engagés par la personne assurée ou pour son compte à la suite d'un accident pour s'occuper des personnes à sa charge si elle répond aux critères d'admissibilité suivants :

- 1. Elle souffre d'une déficience à la suite de l'accident.
- 2. Elle était employée au moment de l'accident.
- 3. Elle ne reçoit pas d'indemnité de soignant.

(2) Aucun paiement n'est exigé aux termes du présent article à l'égard de frais engagés après le décès de la personne assurée.

(3) Le montant payable aux termes du présent article ne doit pas être supérieur à 75 \$ par semaine pour la première personne à charge et à 25 \$ par semaine pour chaque personne à charge supplémentaire.

(4) Le montant total payable aux termes du présent article ne doit pas être supérieur à 150 \$ par semaine.

#### INDEMNITÉ OPTIONNELLE D'INDEXATION

29. (1) L'indemnité optionnelle d'indexation prévoit l'indexation annuelle des montants suivants conformément aux paragraphes (2) et (3) :

1. Le montant hebdomadaire de toute indemnité de remplacement de revenu ou de personne sans revenu d'emploi payable aux termes du présent règlement, indépendamment de toute déduction faite aux termes des sous-dispositions i et ii de la disposition 1 du paragraphe 7 (1).

2. Les montants suivants :

i. Les montants précisés aux sous-dispositions i et ii de la disposition 2 du paragraphe 7 (1).

ii. Les montants précisés aux paragraphes 12 (2) et (3).

iii. Les montants précisés aux sous-alinéas 13 (3) a) (i) et (ii) et 13 (3) b) (i) et (ii).

iv. Les montants précisés aux alinéas 16 (5) a) et b).

3. S'il a été souscrit l'indemnité optionnelle pour frais médicaux, de réadaptation et de soins auxiliaires visée à l'article 27 et qu'elle s'applique à la personne assurée, les montants suivants :

i. Le solde des indemnités pour frais médicaux et de réadaptation, calculé aux termes du paragraphe (4).

ii. Le solde de l'indemnité de soins auxiliaires, calculé aux termes du paragraphe (6).

iii. Le solde des indemnités pour frais médicaux, de réadaptation et de soins auxiliaires, calculé aux termes du paragraphe (8).

4. Si la disposition 3 ne s'applique pas, les montants suivants :

i. Le solde des indemnités pour frais médicaux et de réadaptation, calculé aux termes du paragraphe (10).

ii. Le solde de l'indemnité de soins auxiliaires, calculé aux termes du paragraphe (12).

(2) L'indexation se fait le 1<sup>er</sup> janvier de chaque année postérieure à un accident à laquelle s'applique l'indemnité optionnelle d'indexation en rajustant le montant à indexer selon le taux de variation de l'Indice des prix à la consommation pour le Canada (ensemble des composantes) que publie Statistique Canada en vertu de la *Loi sur la statistique* (Canada) pour la période allant du mois de septembre de l'année antérieure à l'année précédente au mois de septembre de l'année précédente.

(3) Le paragraphe (2) est assujéti à la directive intitulée *Directive concernant l'indemnité optionnelle d'indexation*, dans ses versions successives, publiée dans la *Gazette de l'Ontario* par la Commission des assurances de l'Ontario. Toutefois, cette directive ne doit pas prévoir un pourcentage de rajustement du montant à indexer qui soit supérieur au taux de variation de l'Indice des prix à la consommation applicable.

(4) Pour l'application de la sous-disposition i de la disposition 3 du paragraphe (1), le solde des indemnités pour frais médicaux et de réadaptation est calculé en soustrayant du solde d'indexation calculé aux termes du paragraphe (5) le total de ces indemnités que l'assureur a versé au cours de l'année précédant le 1<sup>er</sup> janvier de l'année à laquelle s'applique l'indemnité optionnelle d'indexation.

(5) Pour l'application du paragraphe (4), le solde d'indexation correspond aux montants suivants :

- a) au cours de la première année où s'applique l'indemnité optionnelle d'indexation, le montant précisé à la sous-sous-disposition A ou B, selon le cas, de la sous-disposition i de la disposition 3 du paragraphe 27 (1);
- b) au cours de chaque année ultérieure, le solde pour l'année précédente, calculé aux termes du paragraphe (4) et indexé aux termes du paragraphe (2).

(6) Pour l'application de la sous-disposition ii de la disposition 3 du paragraphe (1), le solde de l'indemnité de soins auxiliaires est calculé en soustrayant du solde d'indexation calculé aux termes du paragraphe (7) le total de cette indemnité que l'assureur a versé au cours de l'année précédant le 1<sup>er</sup> janvier de l'année à laquelle s'applique l'indemnité optionnelle d'indexation.

(7) Pour l'application du paragraphe (6), le solde d'indexation correspond aux montants suivants :

- a) au cours de la première année où s'applique l'indemnité optionnelle d'indexation, le montant précisé à la sous-sous-disposition A ou B, selon le cas, de la sous-disposition ii de la disposition 3 du paragraphe 27 (1);
- b) au cours de chaque année ultérieure, le solde pour l'année précédente, calculé aux termes du paragraphe (6) et indexé aux termes du paragraphe (2).

(8) Pour l'application de la sous-disposition iii de la disposition 3 du paragraphe (1), le solde des indemnités pour frais médicaux, de réadaptation et de soins auxiliaires est calculé en soustrayant du solde d'indexation calculé aux termes du paragraphe (9) le total de ces indemnités que l'assureur a versé au cours de l'année précédant le 1<sup>er</sup> janvier de l'année à laquelle s'applique l'indemnité optionnelle d'indexation.

(9) Pour l'application du paragraphe (8), le solde d'indexation correspond aux montants suivants :

- a) au cours de la première année où s'applique l'indemnité optionnelle d'indexation, le montant précisé à la sous-sous-disposition A ou B, selon le cas, de la sous-disposition iii de la disposition 3 du paragraphe 27 (1);
- b) au cours de chaque année ultérieure, le solde pour l'année précédente, calculé aux termes du paragraphe (8) et indexé aux termes du paragraphe (2).

(10) Pour l'application de la sous-disposition i de la disposition 4 du paragraphe (1), le solde des indemnités pour frais médicaux et de réadaptation est calculé en soustrayant du solde d'indexation calculé aux termes du paragraphe (11) le total de ces indemnités que l'assureur a versé au cours de l'année précédant le 1<sup>er</sup> janvier de l'année à laquelle s'applique l'indemnité optionnelle d'indexation.

(11) Pour l'application du paragraphe (10), le solde d'indexation correspond aux montants suivants :

- a) au cours de la première année où s'applique l'indemnité optionnelle d'indexation, le montant précisé à l'alinéa 19 (1) a) ou b), selon le cas;
- b) au cours de chaque année ultérieure, le solde pour l'année précédente, calculé aux termes du paragraphe (10) et indexé aux termes du paragraphe (2).

(12) Pour l'application de la sous-disposition ii de la disposition 4 du paragraphe (1), le solde de l'indemnité de soins auxiliaires est calculé en soustrayant du solde d'indexation calculé aux termes du paragraphe (13) le total de cette indemnité que l'assureur a versé au cours de l'année précédant le 1<sup>er</sup> janvier de l'année à laquelle s'applique l'indemnité optionnelle d'indexation.

(13) Pour l'application du paragraphe (12), le solde d'indexation correspond aux montants suivants :

- a) au cours de la première année où s'applique l'indemnité optionnelle d'indexation, le montant précisé à l'alinéa 19 (2) a) ou b), selon le cas;
- b) au cours de chaque année ultérieure, le solde pour l'année précédente, calculé aux termes du paragraphe (12) et indexé aux termes du paragraphe (2).

## PARTIE IX EXCLUSIONS GÉNÉRALES

**30.** (1) L'assureur n'est pas tenu de verser une indemnité de remplacement de revenu, une indemnité de personne sans revenu d'emploi ou une indemnité prévue à l'article 20, 21 ou 22 à l'égard de la personne qui était le conducteur d'une automobile au moment de l'accident si, selon le cas :

- a) elle savait ou aurait dû raisonnablement savoir qu'elle conduisait l'automobile alors que celle-ci n'était pas assurée aux termes d'une police de responsabilité automobile;
- b) elle conduisait l'automobile sans permis de conduire valide;
- c) elle était un conducteur exclu aux termes du contrat d'assurance-automobile;
- d) elle savait ou aurait dû raisonnablement savoir qu'elle conduisait l'automobile sans le consentement du propriétaire.

(2) L'assureur n'est pas tenu de verser une indemnité de remplacement de revenu, une indemnité de personne sans revenu d'emploi ou une indemnité prévue à l'article 20, 21 ou 22 :

- a) soit à l'égard d'une personne qui a fait une assertion inexacte importante ayant amené l'assureur à conclure le contrat d'assurance-automobile, qui a connaissance d'une telle assertion ou qui a intentionnellement omis d'aviser l'assureur d'un changement dans les circonstances constitutives du risque;
- b) soit à l'égard d'une personne transportée dans une automobile au moment de l'accident et qui savait ou aurait dû raisonnablement savoir que le conducteur conduisait l'automobile sans le consentement du propriétaire.

(3) L'alinéa (2) b) n'a pas pour effet d'empêcher un conducteur exclu ou toute autre personne transportée dans une automobile qu'il conduit d'obtenir des indemnités d'accident aux termes d'une police de responsabilité automobile à l'égard de laquelle le conducteur exclu ou l'autre personne transportée est un assuré nommé désigné.

(4) Si une personne souffre d'une déficience à la suite d'un accident et :



- a) soit que, au moment de l'accident, elle se livrait à un acte pour lequel elle est accusée d'une infraction criminelle ou était une personne transportée dans une automobile qui était utilisée en rapport avec un tel acte;
- b) soit qu'elle est accusée, aux termes de l'article 254 du *Code criminel* (Canada), d'avoir fait défaut d'obtempérer à un ordre légitime de fournir un échantillon d'haleine en rapport avec l'accident,

l'assureur garde en fiducie les montants payables au titre d'une indemnité de remplacement de revenu, d'une indemnité de personne sans revenu d'emploi ou d'une indemnité prévue à l'article 20, 21 ou 22 jusqu'à ce que l'accusation fasse l'objet d'une décision définitive. Ces montants et le revenu qu'ils ont produit sont alors :

- c) soit remis à l'assureur, si la personne est déclarée coupable de l'infraction ou d'une infraction incluse;
- d) soit versés à la personne qui a droit au paiement, si elle n'est pas déclarée coupable de l'infraction ou d'une infraction incluse.

(5) La définition qui suit s'applique à l'alinéa (4) a).

«infraction criminelle» S'entend, selon le cas :

- a) du fait de conduire une automobile lorsque sa capacité de conduire l'automobile est affaiblie par l'effet de l'alcool ou d'une drogue;
- b) du fait de conduire une automobile lorsque son alcoolémie dépasse la limite permise par la loi;
- c) du fait de faire défaut d'obtempérer à un ordre légitime de fournir un échantillon d'haleine;
- d) de toute autre infraction criminelle, qu'elle soit ou non liée à la conduite d'une automobile.

## PARTIE X PRÉSENTATION DES DEMANDES D'INDEMNITÉ

### OMISSION DE SE CONFORMER AUX DÉLAIS

31. (1) Le fait de ne pas se conformer à un délai fixé dans la présente partie ne prive pas de son droit à une indemnité la personne qui a une explication raisonnable.

(2) Le paragraphe (1) ne s'applique pas aux délais fixés à l'article 51.

### AVIS ET DEMANDE D'INDEMNITÉ

32. (1) La personne qui souhaite présenter une demande d'indemnité aux termes du présent règlement en avise l'assureur dans les 30 jours des circonstances qui ont donné naissance au droit à l'indemnité, ou le plus tôt possible par la suite.

(2) L'assureur fournit promptement à la personne ce qui suit :

- a) les formules de demande appropriées;
- b) des explications écrites sur les indemnités prévues par le présent règlement;
- c) des renseignements pour aider la personne à présenter une demande d'indemnité;

- d) des renseignements sur les choix possibles quant aux indemnités de remplacement de revenu, de personne sans revenu d'emploi et de soignant.

(3) La personne présente une demande d'indemnité à l'assureur dans les 30 jours de la réception des formules de demande.

(4) La personne que l'assureur oblige à présenter une demande supplémentaire à l'égard d'une indemnité qu'elle reçoit ou à laquelle elle peut avoir droit s'exécute dans les 30 jours de la réception des formules de demande supplémentaire que lui envoie l'assureur.

### OBLIGATION DE FOURNIR DES RENSEIGNEMENTS

33. (1) La personne qui présente une demande d'indemnité aux termes du présent règlement fournit ce qui suit à l'assureur dans les 14 jours de la réception de la demande de ce dernier à cet effet :

1. Tout renseignement dont l'assureur a raisonnablement besoin pour déterminer si la personne a droit à une indemnité.
2. Une déclaration solennelle portant sur les circonstances qui ont donné lieu à la demande d'indemnité.
3. L'adresse — numéro, rue et municipalité — de la résidence ordinaire de la personne.
4. Une preuve d'identité.

(2) Aucune indemnité n'est payable pour toute période précédant le moment où la personne se conforme au paragraphe (1).

### CERTIFICAT D'INVALIDITÉ

34. (1) L'assureur peut exiger, aussi souvent que cela est raisonnablement nécessaire, que la personne qui demande une indemnité de remplacement de revenu, de personne sans revenu d'emploi ou de soignant, ou une indemnité prévue à l'article 20 ou 22, fournisse un certificat délivré par un praticien de la santé choisi par elle.

(2) Le certificat indique la cause et la nature de la déficience, ainsi qu'une estimation de la durée de l'invalidité qui fait l'objet de la demande d'indemnité.

(3) La personne fournit le certificat qu'exige l'assureur dans les 21 jours de la réception de la demande de ce dernier à cet effet.

(4) Si la personne ne se conforme pas au paragraphe (3), aucune indemnité n'est payable pour la période qui suit les 21 jours de la réception de la demande de l'assureur et qui précède le moment où la personne fournit le certificat.

### VERSEMENT DE L'INDEMNITÉ DE REMPLACEMENT DE REVENU, DE PERSONNE SANS REVENU D'EMPLOI OU DE SOIGNANT

35. (1) À la réception d'une demande d'indemnité de remplacement de revenu, de personne sans revenu d'emploi ou de soignant, l'assureur détermine promptement si l'indemnité est payable.

(2) Si l'assureur détermine que l'indemnité est payable, il la verse à la personne dans les 14 jours de la réception de la demande.

(3) Malgré le paragraphe (2), si, sans explication raisonnable, la personne n'a pas avisé l'assureur dans les 30 jours des circonstances qui ont donné naissance au droit à l'indemnité, ce dernier peut retarder la détermination du droit éventuel de la personne à l'indemnité d'au plus 45 jours à compter de la date à laquelle il a reçu la demande de la personne.

(4) L'assureur qui est tenu de verser une indemnité de remplacement de revenu, de personne sans revenu d'emploi ou de soignant la verse au moins toutes les deux semaines.

(5) Le paragraphe (4) ne s'applique pas si l'assureur prépaie les montants qu'il doit au titre de l'indemnité.

CHOIX D'UNE INDEMNITÉ DE REMPLACEMENT DE REVENU,  
DE PERSONNE SANS REVENU D'EMPLOI OU DE SOIGNANT

36. (1) Une seule des indemnités suivantes peut être versée à une même personne à l'égard d'une période donnée :

1. Une indemnité de remplacement de revenu.
2. Une indemnité de personne sans revenu d'emploi.
3. Une indemnité de soignant.

(2) Si la demande de la personne indique que celle-ci peut être admissible à plus d'une des indemnités visées au paragraphe (1), l'assureur l'avise qu'elle doit, dans les 30 jours de la réception de l'avis, choisir l'indemnité qu'elle souhaite recevoir.

(3) L'assureur remet l'avis prévu au paragraphe (2) dans les 14 jours de la réception de la demande de la personne.

REFUS DE L'INDEMNITÉ DE REMPLACEMENT DE REVENU,  
DE PERSONNE SANS REVENU D'EMPLOI OU DE SOIGNANT OU  
INTERRUPTION DE SON VERSEMENT

37. (1) Si l'assureur détermine qu'une personne n'a pas ou n'a plus droit à une indemnité de remplacement de revenu, de personne sans revenu d'emploi ou de soignant, il lui donne un avis à cet effet, accompagné des motifs :

- a) dans les 14 jours de la réception de la demande d'indemnité;
- b) s'il versait déjà l'indemnité, au plus tard à la date d'échéance du prochain versement.

(2) L'assureur qui donne l'avis aux termes de l'alinéa (1) b) y précise la date d'interruption du versement de l'indemnité et peut en interrompre le versement conformément à l'avis.

(3) Si l'avis est donné aux termes de l'alinéa (1) b) pour le motif que la personne ne souffre plus de l'invalidité à l'égard de laquelle l'indemnité était versée :

- a) la date précisée aux termes du paragraphe (2) doit être postérieure d'au moins 14 jours à celle où la personne reçoit l'avis;
- b) l'avis donné aux termes de l'alinéa (1) b) doit informer la personne qu'elle a le droit d'exiger une évaluation conformément à l'article 43 en avisant l'assureur par écrit avant la date précisée aux termes du paragraphe (2);
- c) malgré le paragraphe (2), l'assureur ne doit pas interrompre le versement de l'indemnité si, dans les 14 jours de la réception de l'avis donné aux termes de l'alinéa (1) b), la personne l'avise par écrit qu'elle exige une évaluation conformément à l'article 43.

(4) Si la personne avise l'assureur par écrit, aux termes de l'alinéa (3) c), qu'elle exige une évaluation et que le rapport du centre d'évaluation désigné indique qu'elle ne souffre plus de l'invalidité à l'égard de laquelle l'indemnité était versée, l'assureur peut interrompre le versement de celle-ci après avoir avisé la personne des raisons.

(5) Si la personne avise l'assureur par écrit, aux termes de l'alinéa (3) c), qu'elle exige une évaluation et que le rapport du centre d'évaluation désigné indique qu'elle souffre toujours de l'invalidité à l'égard de laquelle l'indemnité est versée, l'assureur peut contester l'obligation qu'il a de verser celle-ci conformément aux articles 279 à 283 de la *Loi*

sur les assurances, auquel cas il verse l'indemnité en attendant le règlement du différend.

(6) Le présent article n'a pas pour effet d'empêcher une personne de contester l'interruption du versement d'une indemnité conformément aux articles 279 à 283 de la *Loi sur les assurances* et à l'article 50 du présent règlement. Si la décision définitive veut que le versement de l'indemnité n'aurait pas dû être interrompu, l'assureur :

- a) d'une part, reprend le versement de l'indemnité;
- b) d'autre part, verse les montants prévus par l'indemnité et non versés.

INDEMNITÉS POUR FRAIS MÉDICAUX ET DE RÉADAPTATION

38. (1) La personne assurée présente une demande d'indemnité pour frais médicaux ou de réadaptation à l'assureur avant que ne soient engagés des frais à l'égard desquels cette indemnité peut être payable.

(2) La demande comprend un plan de traitement.

(3) Le plan de traitement comprend une déclaration du membre d'une profession de la santé qui l'a dressé dans laquelle :

- a) il divulgue toute situation de conflit d'intérêts dans laquelle le place le plan de traitement;
- b) il indique qu'il a fait des recherches raisonnables pour déterminer si le plan de traitement place dans une situation de conflit d'intérêts toute personne qui a recommandé la personne assurée à une personne qui fournira des biens ou des services prévus par le plan de traitement;
- c) il divulgue toute situation de conflit d'intérêts dans laquelle le plan de traitement place une personne qui a recommandé la personne assurée à une personne qui fournira des biens ou des services prévus par le plan de traitement.

(4) L'avocat ou autre représentant qui agit pour le compte de la personne assurée à l'égard de la demande ou d'une instance civile découlant de l'accident avise par écrit l'assureur et la personne assurée, au moment de la présentation de la demande, de toute situation de conflit d'intérêts dans laquelle le place le plan de traitement.

(5) En cas de divulgation d'une situation de conflit d'intérêts aux termes du paragraphe (3) ou (4), l'assureur peut, dans les 14 jours de la réception de la demande, aviser la personne assurée que la demande est refusée et qu'elle peut en présenter une nouvelle.

(6) Le paragraphe (5) ne s'applique pas s'il n'y a personne d'autre, dans un rayon de 50 kilomètres de la résidence de la personne assurée, qui puisse fournir les biens ou les services qui donnent lieu à la situation de conflit d'intérêts.

(7) À la réception de la demande, l'assureur détermine promptement s'il est tenu de payer pour les biens et les services prévus par le plan de traitement.

(8) Si l'assureur ne donne pas d'avis en vertu du paragraphe (5), il donne, dans les 14 jours de la réception de la demande, un avis à la personne assurée dans lequel :

- a) d'une part, il indique :
  - (i) soit qu'il paiera pour tous les biens et services prévus par le plan de traitement,
  - (ii) soit qu'il paiera pour les biens et services prévus par le plan de traitement que précise l'avis,



(iii) soit qu'il ne paiera pour aucun des biens et des services prévus par le plan de traitement;

b) d'autre part, il divulgue toute situation de conflit d'intérêts dans laquelle le place le plan de traitement.

(9) Si l'assureur divulgue une situation de conflit d'intérêts dans laquelle le place le plan de traitement, la personne assurée peut, dans les 14 jours de la réception de l'avis prévu à l'alinéa (8) b), retirer sa demande et en présenter une nouvelle.

(10) Le paragraphe (9) ne s'applique pas s'il n'y a personne d'autre, dans un rayon de 50 kilomètres de la résidence de la personne assurée, qui puisse fournir les biens ou les services qui donnent lieu à la situation de conflit d'intérêts.

(11) Si la demande n'est pas retirée comme le permet le paragraphe (9), l'assureur paie pour les biens et les services visés par l'avis prévu au sous-alinéa (8) a) (i) ou (ii) dans les 30 jours de la réception de la facture.

(12) Si l'avis prévu à l'alinéa (8) a) indique que l'assureur ne paiera pas pour certains biens ou services prévus par le plan de traitement :

a) d'une part, l'assureur exige que la personne assurée se fasse évaluer par un centre d'évaluation désigné à l'égard de ces biens et services conformément à l'article 43;

b) d'autre part, l'assureur joint ce qui suit à l'avis prévu au paragraphe (8) :

(i) l'exposé des motifs pour lesquels il n'accepte pas de payer pour tous les biens et services prévus par le plan de traitement,

(ii) un avis selon lequel il exige que la personne assurée se fasse évaluer par un centre d'évaluation désigné conformément à l'article 43.

(13) Malgré l'alinéa (12) a), aucune évaluation par un centre d'évaluation désigné ne doit être exigée si, dans les sept jours de la réception de l'avis prévu au sous-alinéa (12) b) (ii), la personne assurée avise par écrit l'assureur qu'elle ne présentera pas de demande de règlement à l'égard des biens ou des services pour lesquels l'assureur a indiqué qu'il ne paiera pas.

(14) Sous réserve du règlement de tout différend relatif aux frais conformément aux articles 279 à 283 de la *Loi sur les assurances* :

a) si le centre d'évaluation désigné déclare dans un rapport que des frais sont, de l'avis de la ou des personnes qui ont procédé à l'évaluation, raisonnables et nécessaires aux fins du traitement ou de la réadaptation de la personne assurée, l'assureur doit payer ces frais;

b) si le centre d'évaluation désigné ne déclare pas dans un rapport que des frais sont, de l'avis de la ou des personnes qui ont procédé à l'évaluation, raisonnables et nécessaires aux fins du traitement ou de la réadaptation de la personne assurée, l'assureur n'est pas tenu de payer ces frais.

(15) Malgré le paragraphe (12), l'assureur ne doit pas exiger d'évaluation par un centre d'évaluation désigné ni donner l'avis visé au sous-alinéa (12) b) (ii) à l'égard d'une demande de règlement pour les frais suivants :

1. Les frais pour les appareils et accessoires fonctionnels payés en partie par le ministère de la Santé, notamment les fauteuils roulants ou autres aides à la mobilité, les prothèses et les appareils orthétiques.

2. Les frais pour les verres correcteurs, les appareils auditifs ou les dentiers ou autres appareils dentaires.

3. Les frais pour le transport aller-retour de la personne assurée aux fins d'une séance de consultation, d'une séance de formation, d'une séance de traitement ou d'une évaluation, y compris le transport d'un aide, le cas échéant.

4. Jusqu'au règlement du différend consistant à déterminer si une indemnité est payable aux termes de la *Loi sur les accidents du travail*, les frais de réadaptation professionnelle payables par l'assureur.

(16) Sous réserve du paragraphe (14), si le plan de traitement prévoit des biens ou des services fournis par un chiropraticien ou un physiothérapeute, l'assureur paie, même s'il exige que la personne assurée se fasse évaluer par un centre d'évaluation désigné aux termes du paragraphe (12) à l'égard de ces biens ou services, tous les frais engagés, après la présentation du plan de traitement, à l'égard de ces biens et services, jusqu'à concurrence du moins élevé des montants suivants :

1. Le total des frais engagés pour le compte de la personne assurée à l'égard des 15 premières séances de traitement dispensées par un chiropraticien ou un physiothérapeute après l'accident.

2. Le total des frais engagés pour le compte de la personne assurée à l'égard de toutes les séances de traitement dispensées par un chiropraticien ou un physiothérapeute dans les six semaines de l'accident.

(17) Si la personne assurée engage des frais à l'égard desquels une indemnité pour frais médicaux ou de réadaptation peut être payable sans se conformer au paragraphe (1), (2) ou (3), elle présente à l'assureur une demande de paiement des frais conforme aux paragraphes (2) et (3) dans les 30 jours.

(18) Malgré le paragraphe (1), l'assureur qui reçoit la demande prévue au paragraphe (17) prend l'une ou l'autre des mesures suivantes dans les 30 jours de sa réception :

a) il paie les frais;

b) il avise la personne assurée des motifs pour lesquels il ne paie pas les frais.

(19) Si, après avoir donné l'avis prévu au sous-alinéa (8) a) (i) ou (ii), l'assureur apprend que le plan de traitement place une personne visée au paragraphe (3) ou (4) en situation de conflit d'intérêts, il peut donner un avis à la personne assurée exigeant qu'elle modifie le plan de traitement dans les 14 jours de la réception de l'avis de façon à ce qu'il n'y ait plus de conflit d'intérêts.

(20) Si la personne assurée ne se conforme pas à l'avis prévu au paragraphe (19), l'assureur n'est pas tenu de payer les frais supplémentaires engagés pour les biens ou les services qui donnent lieu à la situation de conflit d'intérêts.

(21) Le paragraphe (20) ne s'applique pas s'il n'y a personne d'autre, dans un rayon de 50 kilomètres de la résidence de la personne assurée, qui puisse fournir les biens ou les services qui donnent lieu à la situation de conflit d'intérêts.

(22) Les paragraphes (1) à (21) ne s'appliquent pas si l'assureur accepte de payer les frais sans que ne lui soit présenté une demande ou un plan de traitement.

(23) Si l'assureur accepte de payer les frais sans que ne lui soit présenté une demande ou un plan de traitement, il donne à la personne assurée un avis divulguant toute situation de conflit d'intérêts dans laquelle le place tout bien ou service qu'il lui recommande.



(24) Pour l'application du présent article :

- a) un plan de traitement place une personne dans une situation de conflit d'intérêts si les conditions suivantes sont réunies :
  - (i) la personne ou un membre de la famille de la personne peut recevoir, directement ou indirectement, un avantage financier à la suite de la fourniture, par un membre de la famille de la personne ou par une autre personne, de biens ou de services prévus par le plan de traitement,
  - (ii) la personne qui peut recevoir l'avantage financier n'est pas l'employé de la personne qui fournira les biens ou les services ni n'a conclu avec elle de contrat prévoyant la fourniture de tels biens ou services;
- b) des biens ou des services qu'il recommande à la personne assurée placent l'assureur dans une situation de conflit d'intérêts s'il peut recevoir, directement ou indirectement, un avantage financier à la suite de la fourniture de ces biens ou services.

(25) La définition qui suit s'applique à l'alinéa (24) a).

«membre de la famille» Dans le cas d'une personne physique, s'entend de toute autre personne qui lui est liée par le sang, le mariage ou l'adoption. À cette fin :

- a) deux personnes sont liées par le sang si l'une est l'enfant ou un autre descendant de l'autre ou encore le frère ou la sœur de l'autre;
- b) deux personnes sont liées par le mariage si l'une est le conjoint de l'autre ou d'une personne qui est liée à l'autre par le sang;
- c) deux personnes sont liées par l'adoption si l'une a été adoptée, légalement ou de fait, comme enfant de l'autre ou comme enfant d'une personne qui est liée à l'autre par le sang autrement qu'à titre de frère ou de sœur.

#### INDEMNITÉ DE SOINS AUXILIAIRES

39. (1) Dans les 14 jours de la réception d'une demande d'indemnité de soins auxiliaires, l'assureur :

- a) soit avise la personne assurée qu'il a approuvé la demande, s'il détermine qu'il est tenu de payer les frais visés par celle-ci;
- b) soit avise la personne assurée qu'il exige qu'elle fournisse un certificat, délivré par un membre d'une profession de la santé que la loi autorise à traiter sa déficience, indiquant que les frais visés par la demande sont raisonnables et nécessaires pour prendre soin de la personne.

(2) Si la demande porte sur une indemnité de soins auxiliaires visant des frais périodiques, l'assureur peut exiger que le certificat visé à l'alinéa (1) b) lui soit fourni aussi souvent que cela est raisonnablement nécessaire.

(3) Si l'assureur est tenu de verser l'indemnité, il commence à la verser dans les 30 jours de la réception de la demande ou, s'il a exigé un certificat, dans les 14 jours de la réception de celui-ci.

(4) Si l'assureur détermine que la personne assurée n'a pas ou n'a plus droit à une indemnité de soins auxiliaires, il exige qu'elle se fasse évaluer conformément à l'article 43 et lui donne un avis de sa décision et du fait qu'elle doit subir l'évaluation, accompagné des motifs :

- a) soit dans les 14 jours de la réception de la demande ou, s'il a exigé un certificat, dans les 14 jours de la réception de celui-ci;

b) soit, s'il lui versait déjà l'indemnité, au plus tard à la date d'échéance du prochain versement.

(5) Malgré le paragraphe (4), si plus de 104 semaines se sont écoulées depuis l'accident, l'assureur ne doit pas exiger une évaluation de la personne assurée à moins que, selon le cas :

- a) elle ne se soit pas fait évaluer par un centre d'évaluation désigné depuis l'accident;
- b) au moins 52 semaines ne se soient écoulées depuis sa dernière évaluation par un centre d'évaluation désigné.

(6) Si une évaluation est exigée aux termes du paragraphe (4), l'assureur verse l'indemnité de soins auxiliaires à la personne assurée en attendant de recevoir le rapport du centre d'évaluation désigné.

(7) La décision du centre d'évaluation désigné lie la personne assurée et l'assureur, sous réserve du règlement, conformément aux articles 279 à 283 de la *Loi sur les assurances*, de tout différend relatif à l'indemnité de soins auxiliaires.

(8) La personne assurée qui a besoin de soins auxiliaires de niveau supérieur présente une nouvelle demande à cet effet à l'assureur.

#### DÉTERMINATION DE L'EXISTENCE D'UNE DÉFICIENCE INVALIDANTE

40. (1) La personne assurée qui souffre d'une déficience à la suite d'un accident peut demander à l'assureur de déterminer s'il s'agit d'une déficience invalidante.

(2) Dans les 30 jours de la réception de la demande, l'assureur prend l'une ou l'autre des mesures suivantes :

- a) il détermine qu'il s'agit d'une déficience invalidante et en avise la personne assurée;
- b) il détermine qu'il ne s'agit pas d'une déficience invalidante et en avise la personne assurée, en lui donnant les motifs;
- c) il avise la personne assurée qu'il exige qu'elle se fasse évaluer par un centre d'évaluation désigné conformément à l'article 43.

(3) Si la personne assurée reçoit l'avis visé à l'alinéa (2) b) et qu'elle conteste la décision de l'assureur, elle peut exiger de se faire évaluer par un centre d'évaluation désigné conformément à l'article 43.

(4) La décision du centre d'évaluation désigné lie la personne assurée et l'assureur, sous réserve du règlement, conformément aux articles 279 à 283 de la *Loi sur les assurances*, de tout différend relatif à la question de savoir si la déficience est une déficience invalidante.

#### AUTRES INDEMNITÉS

41. (1) Si une personne a droit à une prestation de décès, à une indemnité pour frais funéraires ou à une indemnité prévue par la partie VI, l'assureur verse celle-ci dans les 30 jours de la réception de la demande d'indemnité.

(2) Si l'assureur refuse de verser une indemnité visée au paragraphe (1), il avise la personne des motifs de son refus dans les 30 jours de la réception de la demande d'indemnité.

#### EXAMENS EXIGÉS PAR L'ASSUREUR

42. (1) Aux fins de la détermination du droit de la personne assurée à une indemnité, à l'exception d'une indemnité pour frais funéraires ou d'une prestation de décès, l'assureur peut lui donner un avis exigeant qu'elle se fasse examiner par la ou les personnes qu'il précise. Chacune de ces personnes doit être un membre d'une profession de la santé ou posséder des compétences spécialisées en matière de réadaptation professionnelle.



- (2) L'avis précise l'indemnité à laquelle se rapporte l'examen.
- (3) L'assureur peut exiger que la personne se fasse examiner aussi souvent que cela est raisonnablement nécessaire.
- (4) L'assureur fait des efforts raisonnables pour fixer la date et l'heure de l'examen à un moment qui convient à la personne assurée et il en donne à celle-ci un avis raisonnable.
- (5) Aux fins de l'examen :
  - a) la personne assurée fournit les renseignements raisonnablement nécessaires à la ou aux personnes qui procèdent à l'examen;
  - b) la personne assurée se soumet aux examens physiques, psychologiques, mentaux et fonctionnels raisonnables que demandent la ou les personnes qui procèdent à l'examen.
- (6) La ou les personnes qui procèdent à l'examen dressent un rapport et en remettent une copie à l'assureur.
- (7) L'assureur qui reçoit un rapport aux termes du paragraphe (6) en remet une copie à la personne assurée dans les sept jours.
- (8) Si la personne assurée omet ou refuse de se soumettre à un examen que l'assureur exige en vertu du présent article ou qu'elle ne se conforme pas au paragraphe (5) :
  - a) d'une part, l'assureur peut interrompre le versement de l'indemnité à laquelle se rapporte l'examen jusqu'à ce que la personne se soumette à celui-ci ou se conforme au paragraphe (5), après quoi il en reprend le versement;
  - b) d'autre part, aucune indemnité n'est payable pour la période qui suit la remise de l'avis visé au paragraphe (1) ou l'inobservation du paragraphe (5) et qui précède le moment où la personne assurée se soumet à l'examen et se conforme au paragraphe (5).

#### ÉVALUATIONS

43. (1) Si l'évaluation doit être faite par un centre d'évaluation désigné :
- a) d'une part, l'assureur avise le centre dans les 15 jours;
  - b) d'autre part, le centre avise promptement la personne assurée et prend des dispositions pour l'évaluation.
- (2) Aux fins de l'évaluation :
- a) d'une part, la personne assurée et l'assureur fournissent les renseignements raisonnablement nécessaires à la ou aux personnes qui procèdent à l'évaluation;
  - b) d'autre part, la personne assurée se soumet aux examens physiques, psychologiques, mentaux et fonctionnels raisonnables que demandent la ou les personnes qui procèdent à l'évaluation.
- (3) Si la personne assurée ne se rend pas raisonnablement disponible pour l'évaluation ou ne se conforme pas au paragraphe (2) :
- a) d'une part, l'assureur peut interrompre le versement de l'indemnité à laquelle se rapporte l'évaluation jusqu'à ce que la personne se soumette à celle-ci ou se conforme au paragraphe (2), après quoi il en reprend le versement;
  - b) d'autre part, aucune indemnité n'est payable pour la période qui suit le moment où la personne assurée ne s'est pas rendue raisonnablement disponible ou ne s'est pas conformée au

paragraphe (2) et qui précède celui où elle se rend raisonnablement disponible et se conforme au paragraphe (2).

(4) La ou les personnes qui ont procédé à l'évaluation dressent un rapport et en remettent une copie aux personnes suivantes :

- a) l'assureur;
- b) la personne assurée;
- c) le praticien de la santé de la personne assurée.

(5) Si l'évaluation est exigée aux termes de l'article 37 à l'égard d'une demande d'indemnité de remplacement de revenu, de personne sans revenu d'emploi ou de soignant, le rapport comprend une déclaration précisant si la personne assurée souffre toujours de l'invalidité à l'égard de laquelle l'indemnité est versée.

(6) Si l'évaluation est exigée aux termes de l'article 38 à l'égard d'une demande d'indemnité pour frais médicaux ou de réadaptation, le rapport comprend :

- a) d'une part, une déclaration précisant si, de l'avis de la ou des personnes qui ont procédé à l'évaluation, des frais quelconques visés par l'indemnité sont raisonnables et nécessaires aux fins du traitement ou de la réadaptation de la personne assurée;
- b) d'autre part, des recommandations quant à la fourniture future de biens et de services à la personne assurée aux fins de son traitement ou de sa réadaptation.

(7) Si l'évaluation est exigée aux termes de l'article 39 à l'égard d'une demande d'indemnité de soins auxiliaires, le rapport comprend :

- a) d'une part, le calcul, effectué conformément à la formule 1, du montant que l'assureur doit payer pour la prestation future de soins auxiliaires;
- b) d'autre part, des recommandations quant à la prestation future de soins auxiliaires à la personne assurée.

(8) Si l'évaluation est exigée aux termes de l'article 40 en vue de déterminer si une déficience est une déficience invalidante, le rapport comprend une déclaration précisant si tel est le cas de l'avis de la ou des personnes qui ont procédé à l'évaluation.

#### MODE DE PAIEMENT

44. (1) L'assureur verse les indemnités prévues par le présent règlement :

- a) soit en postant ou en faisant livrer un chèque payable à la personne ayant droit à l'indemnité à l'adresse de sa résidence ordinaire;
- b) soit, avec le consentement de la personne ayant droit à l'indemnité, par virement électronique dans un compte ouvert en son nom.

(2) Malgré le paragraphe (1) :

- a) l'assureur peut prendre des dispositions pour se faire facturer et payer lui-même les biens ou les services fournis à l'égard de la personne assurée;
- b) l'assureur peut consigner les indemnités au tribunal en vertu de l'article 271 de la *Loi sur les assurances*.

#### EXPLICATION DU MONTANT DES INDEMNITÉS

45. Lors du premier versement d'une indemnité ou de toute modification ultérieure du montant, l'assureur explique par écrit à la personne assurée la façon dont le montant a été calculé.

## ARRIÉRÉS

46. (1) Un montant payable à l'égard d'une indemnité est arriéré si l'assureur ne verse pas l'indemnité dans le délai fixé par la présente partie.

(2) Si le versement d'une indemnité prévue par le présent règlement est arriéré, l'assureur paie des intérêts au taux mensuel de 2 pour cent, composé mensuellement, sur le montant arriéré pour chaque jour où le montant est arriéré à compter de la date où il le devient.

## REMBOURSEMENTS À L'ASSUREUR

47. (1) Toute personne rembourse à l'assureur, selon le cas :

- a) toute indemnité prévue par le présent règlement qui lui est versée à la suite d'une erreur commise par l'assureur, la personne assurée ou une autre personne, ou à la suite d'une fraude ou d'une assertion inexacte faite délibérément;
- b) toute indemnité de remplacement de revenu ou de personne sans revenu d'emploi qui lui est versée si elle-même ou une personne à l'égard de laquelle le versement a été fait n'y avait pas droit aux termes de la partie IX;
- c) toute indemnité de remplacement de revenu, de personne sans revenu d'emploi ou de soignant, ou toute indemnité prévue par la partie VI, dans la mesure de tout versement qu'elle a reçu et qui en est déductible aux termes du présent règlement.

(2) Si une personne est tenue de rembourser un montant à l'assureur aux termes du présent article :

- a) d'une part, l'assureur l'avise du montant qu'elle est tenue de rembourser;
- b) d'autre part, si elle reçoit une indemnité de remplacement de revenu ou de soignant, l'assureur peut l'aviser qu'il a l'intention de recouvrer le remboursement en déduisant de chaque versement de l'indemnité jusqu'à 20 pour cent du montant de celle-ci.

(3) L'obligation de rembourser une indemnité ne s'applique que si l'avis prévu au paragraphe (2) est donné dans les 12 mois du versement.

(4) Le paragraphe (3) ne s'applique pas si l'indemnité a été versée à la suite d'une fraude ou d'une assertion inexacte faite délibérément.

(5) L'assureur qui a donné l'avis visé à l'alinéa (2) b) peut recouvrer le remboursement en déduisant de chaque versement de l'indemnité jusqu'à 20 pour cent du montant de celle-ci.

(6) L'assureur peut exiger des intérêts sur tout montant remboursable aux termes du présent article à compter du quinzième jour qui suit la remise de l'avis prévu au paragraphe (2) au taux d'escompte en vigueur ce jour-là.

(7) La définition qui suit s'applique au paragraphe (6).

«taux d'escompte» Le taux minimal exigé par la Banque du Canada sur les prêts à court terme qu'elle accorde aux banques mentionnées à l'annexe I de la *Loi sur les banques* (Canada).

## CESSATION DU VERSEMENT DES INDEMNITÉS POUR CAUSE D'ASSERTION INEXACTE IMPORTANTE

48. (1) Si la personne assurée a délibérément fait une assertion inexacte en ce qui concerne des faits importants à l'égard d'une demande d'indemnité, l'assureur peut cesser de verser celle-ci.

(2) L'assureur ne doit pas cesser de verser l'indemnité en vertu du paragraphe (1) à moins d'aviser la personne assurée des motifs.

## DROIT DE CONTESTATION

49. Si l'assureur refuse de verser une indemnité prévue par le présent règlement ou réduit le montant d'une indemnité qu'une personne reçoit aux termes du présent règlement, il informe la personne par écrit de la procédure de règlement des différends relatifs aux indemnités qui est prévue par les articles 279 à 283 de la *Loi sur les assurances*.

## ÉVALUATION AVANT LA MÉDIATION

50. La personne assurée ne doit pas engager de procédure de médiation en vertu de l'article 280 de la *Loi sur les assurances* à moins de remplir les conditions suivantes :

- a) elle a avisé l'assureur des circonstances qui ont donné lieu à la demande d'indemnité et a présenté celle-ci dans les délais prescrits par la présente partie;
- b) elle s'est rendue raisonnablement disponible pour tout examen que l'assureur a exigé en vertu de l'article 42;
- c) elle s'est rendue raisonnablement disponible pour toute évaluation visée à l'article 43 et elle s'est conformée au paragraphe 43 (2) à l'égard de cette évaluation.

## DÉLAI POUR ENGAGER UNE PROCÉDURE

51. (1) La procédure de médiation ou l'évaluation prévue à l'article 280 ou 280.1 de la *Loi sur les assurances* ou l'instance devant un tribunal ou la procédure d'arbitrage prévue à l'alinéa 281 (1) a) ou b) de la *Loi* relativement à une indemnité prévue par le présent règlement doit être engagée ou introduite dans les deux ans du refus de l'assureur de verser le montant demandé.

(2) Malgré le paragraphe (1), l'instance devant un tribunal ou la procédure d'arbitrage prévue à l'alinéa 281 (1) a) ou b) de la *Loi sur les assurances* peut être engagée ou introduite dans les 90 jours de la remise du rapport du médiateur aux parties aux termes du paragraphe 280 (8) de la *Loi* ou dans les 30 jours de la remise du rapport de la personne qui a effectué l'évaluation aux parties aux termes de l'article 280.1 de la *Loi*, selon celui de ces délais qui se termine le dernier.

PARTIE XI  
CENTRES D'ÉVALUATION DÉSIGNÉS

## CRÉATION DE CENTRES D'ÉVALUATION DÉSIGNÉS

52. Le comité constitué aux termes de l'article 7 de la *Loi sur les assurances* fait ce qui suit :

- a) il désigne des centres d'évaluation pour l'application du présent règlement;
- b) il précise les types de déficiences que chaque centre d'évaluation désigné est autorisé à évaluer;
- c) il précise les types d'évaluations que chaque centre d'évaluation désigné est autorisé à faire.

## LIEU DE L'ÉVALUATION

53. (1) L'évaluation doit être faite par le centre d'évaluation désigné qui est situé le plus près de la résidence de la personne assurée et qui :

- a) d'une part, est autorisé à évaluer les déficiences du type de celle dont souffre la personne assurée;
- b) d'autre part, est autorisé à procéder au type d'évaluation qui est exigé.



(2) Avant de procéder à l'évaluation, le centre d'évaluation désigné donne à l'assureur et à la personne assurée un avis écrit divulguant toute situation de conflit d'intérêts dans laquelle le place l'évaluation.

(3) En cas de divulgation d'une situation de conflit d'intérêts aux termes du paragraphe (2) :

a) le centre d'évaluation désigné ou un autre centre d'évaluation désigné procède à l'évaluation, si l'assureur et la personne assurée s'entendent à cet effet;

b) si les parties ne s'entendent pas, l'évaluation doit être faite, sous réserve du paragraphe (2), par le deuxième centre d'évaluation désigné qui est situé le plus près de la résidence de la personne assurée et qui :

(i) d'une part, est autorisé à évaluer les déficiences du type de celle dont souffre la personne assurée,

(ii) d'autre part, est autorisé à procéder au type d'évaluation qui est exigé.

(4) Si le centre d'évaluation désigné qui est déterminé conformément au paragraphe (1) ou à l'alinéa (3) b) est situé à plus de 100 kilomètres de la résidence de la personne assurée, cette dernière et l'assureur tentent de s'entendre sur la ou les personnes, dont au moins une est un praticien de la santé, qui procéderont à l'évaluation.

(5) Si l'assureur et la personne assurée ne peuvent s'entendre aux termes du paragraphe (4), la personne assurée doit être évaluée au centre d'évaluation désigné déterminé conformément au paragraphe (1) ou à l'alinéa (3) b), selon le cas.

(6) Les paragraphes (4) et (5) ne s'appliquent pas à l'évaluation exigée aux termes de l'article 39 ou 40.

(7) Le centre d'évaluation désigné commence l'évaluation dans les deux semaines de la réception d'une demande à cet effet.

(8) Si le centre d'évaluation désigné ne peut commencer l'évaluation dans les deux semaines de la réception de la demande, la personne assurée ou l'assureur peut exiger que, sous réserve du paragraphe (2), l'évaluation soit faite par le deuxième centre d'évaluation désigné qui est situé le plus près de la résidence de la personne assurée et qui :

a) d'une part, est autorisé à évaluer les déficiences du type de celle dont souffre la personne assurée;

b) d'autre part, est autorisé à procéder au type d'évaluation qui est exigé.

(9) Pour l'application du présent article, l'évaluation place un centre d'évaluation désigné dans une situation de conflit d'intérêts si, selon le cas :

a) l'assureur, la personne assurée ou un représentant qui agit pour le compte de l'un ou de l'autre, notamment un avocat, a un intérêt financier dans le centre d'évaluation désigné;

b) le centre d'évaluation désigné, une personne liée ou un établissement qui est, directement ou indirectement et en totalité ou en partie, la propriété du centre ou de la personne liée ou sous son contrôle :

(i) soit a fourni des biens ou des services à la personne qui doit être évaluée, à l'exception d'une évaluation antérieure à laquelle s'appliquait l'article 43,

(ii) soit a dressé ou approuvé un plan de traitement à l'intention de la personne qui doit être évaluée,

(iii) soit est nommé dans un plan de traitement comme personne qui fournira des biens ou des services à la personne qui doit être évaluée.

(10) La définition qui suit s'applique à l'alinéa (9) b).

«personne liée» S'entend d'un propriétaire, d'un employé ou d'un associé du centre d'évaluation désigné, ou d'un conseiller dont celui-ci a retenu les services.

#### BIENS OU SERVICES FOURNIS APRÈS L'ÉVALUATION

54. (1) Le centre d'évaluation désigné qui, aux termes du présent règlement, procède à l'évaluation d'une personne qui souffre d'une déficience à la suite d'un accident ne doit pas, après l'évaluation, fournir de biens ou de services à cette personne à l'égard de l'accident.

(2) Le paragraphe (1) ne s'applique pas dans l'un ou l'autre des cas suivants :

a) la personne assurée et l'assureur s'entendent à cet effet;

b) il n'y a personne d'autre, dans un rayon de 50 kilomètres de la résidence de la personne assurée, qui puisse fournir les biens ou les services.

(3) Le paragraphe (1) n'a pas pour effet d'empêcher le centre d'évaluation désigné de procéder à une autre évaluation de la personne.

### PARTIE XII DEVOIR DE SE SOUMETTRE AU TRAITEMENT, DE PARTICIPER À LA RÉADAPTATION ET DE CHERCHER UN EMPLOI

#### TRAITEMENT ET RÉADAPTATION

55. (1) La personne assurée qui a droit à une indemnité de remplacement de revenu, de personne sans revenu d'emploi ou de soignant se soumet au traitement et participe au programme de réadaptation qui sont raisonnables, disponibles et nécessaires :

a) soit pour lui permettre d'occuper un emploi qui répond aux critères énoncés au paragraphe (2), si elle a droit à une indemnité de remplacement de revenu;

b) soit pour abréger la période pendant laquelle l'indemnité est payable, dans les autres cas.

(2) Les critères visés à l'alinéa (1) a) sont les suivants :

1. La personne assurée :

i. est en mesure d'accomplir les tâches essentielles de l'emploi et a les qualités requises pour le faire,

ii. serait en mesure d'accomplir les tâches essentielles de l'emploi et aurait les qualités requises pour le faire, si elle se soumettait à un traitement et participait à un programme de réadaptation qui sont raisonnables, disponibles et nécessaires pour lui permettre d'occuper l'emploi.

2. L'emploi se trouve dans le secteur où vit la personne assurée.

3. Il serait raisonnable de s'attendre à ce que la personne assurée occupe l'emploi, compte tenu de l'aggravation possible de sa déficience, ainsi que de ses caractéristiques personnelles et professionnelles.

(3) Le paragraphe (1) ne s'applique pas si le fait de s'y conformer devait nuire au traitement ou au rétablissement de la personne assurée.

(4) Si la personne assurée ne se conforme pas au paragraphe (1), l'assureur peut l'aviser qu'il a l'intention de réduire le montant de l'indemnité conformément au paragraphe (5).

(5) L'assureur peut réduire de moitié le montant de l'indemnité s'il s'est écoulé au moins 14 jours depuis la remise de l'avis et que la personne assurée ne se conforme toujours pas au paragraphe (1).

#### EMPLOI

56. (1) La personne assurée qui a droit à une indemnité de remplacement de revenu fait des efforts raisonnables :

- a) soit pour reprendre l'emploi qu'elle occupait au moment de l'accident;
- b) soit pour obtenir un emploi qu'elle est raisonnablement apte à occuper en raison de ses études, de sa formation ou de son expérience.

(2) Le paragraphe (1) ne s'applique pas si, selon le cas :

- a) l'emploi devait nuire au traitement ou au rétablissement de la personne assurée;
- b) la personne assurée participe à un programme de réadaptation professionnelle.

(3) Si la personne assurée ne se conforme pas au paragraphe (1), l'assureur peut l'aviser qu'il a l'intention de réduire le montant de l'indemnité conformément au paragraphe (4).

(4) L'assureur peut réduire de moitié le montant de l'indemnité s'il s'est écoulé au moins 14 jours depuis la remise de l'avis et que la personne assurée ne se conforme toujours pas au paragraphe (1).

(5) Les paragraphes (3) et (4) ne s'appliquent pas si l'assureur réduit le montant de l'indemnité en vertu du paragraphe 55 (5).

### PARTIE XIII INTERACTION AVEC D'AUTRES RÉGIMES

#### ACCIDENTS QUI SURVIENNENT HORS DE L'ONTARIO

57. (1) Si, à la suite d'un accident survenu dans une autre province ou dans un territoire du Canada ou dans un ressort des États-Unis d'Amérique, une personne assurée dans ce ressort décède, souffre d'une déficience ou engage des frais visés à l'article 14, 15 ou 16, l'assureur verse, au choix de la personne :

- a) soit les indemnités prévues par le présent règlement, à l'exception de celles visées à l'alinéa b);
- b) soit des indemnités selon le même montant et aux mêmes conditions que si cette personne était un résident du ressort où est survenu l'accident et avait droit à des paiements aux termes de la loi de ce ressort.

(1.1) Le paragraphe (1) ne s'applique pas si la personne reçoit des indemnités aux termes de la loi du ressort dans lequel l'accident est survenu.

(2) La personne qui choisit de demander une indemnité aux termes de l'alinéa (1) a) n'a droit par la suite qu'aux indemnités visées à cet alinéa.

(3) La personne qui choisit de demander une indemnité aux termes de l'alinéa (1) b) n'a plus droit par la suite aux indemnités visées à l'alinéa (1) a).

(4) Pour l'application du présent article, une personne est assurée dans le ressort où est survenu l'accident si, au moment de l'accident, elle satisfaisait aux conditions suivantes :

- a) elle était autorisée par la loi à être ou à rester au Canada et elle vivait en Ontario et y était ordinairement présente;
- b) elle répondait aux critères de recouvrement établis en vertu de la loi du ressort où est survenu l'accident;
- c) elle n'était pas le propriétaire ni le conducteur d'une automobile immatriculée dans le ressort où est survenu l'accident, ni une personne transportée dans une telle automobile;
- d) elle était, selon le cas :
  - (i) une personne transportée dans l'automobile assurée,
  - (ii) l'assuré nommément désigné, son conjoint, une personne à la charge de l'un ou l'autre ou une personne mentionnée dans la police comme conducteur de l'automobile assurée, et était une personne transportée dans une automobile,
  - (iii) une personne qui n'était pas une personne transportée dans une automobile et qui a été heurtée par l'automobile assurée,
  - (iv) l'assuré nommément désigné, son conjoint ou une personne à la charge de l'un ou l'autre, et a été heurtée par une automobile,
  - (v) si l'assuré nommément désigné est une personne morale, une association sans personnalité morale, une société en nom collectif ou en commandite ou une entreprise à propriétaire unique, une personne à la disposition de laquelle a été mise, sur une base régulière, l'automobile assurée, son conjoint ou une personne à la charge de l'un ou l'autre, et a été atteinte d'une déficience :
    - (A) alors qu'elle était une personne transportée dans une automobile,
    - (B) imputable à une automobile, alors qu'elle n'était pas une personne transportée dans l'automobile,
  - (vi) une personne qui a été heurtée par une automobile conduite par une personne visée au sous-alinéa (i), (ii) ou (v).

#### PRESTATIONS D'AIDE SOCIALE

58. (1) L'assureur verse les indemnités prévues par le présent règlement même si la personne assurée a droit à des prestations aux termes d'une loi dont le ministère des Services sociaux et communautaires de l'Ontario assure l'application ou d'une loi semblable d'un autre ressort, ou même si elle a reçu de telles prestations.

(2) Pour l'application du paragraphe (1), les services, prestations ou droits prévus par une loi dont l'application est passée par décret du ministère des Services sociaux et communautaires au ministère de la Santé sont réputés prévus par une loi dont le ministère des Services sociaux et communautaires de l'Ontario assure l'application tant qu'ils conservent essentiellement les mêmes caractéristiques à la suite de ce changement.

#### INDENNITÉS D'ACCIDENT DU TRAVAIL

59. (1) L'assureur n'est pas tenu de verser les indemnités prévues par le présent règlement à l'égard de la personne assurée qui, à la suite d'un



accident, a droit à des indemnités aux termes d'une loi sur les accidents du travail ou d'un régime d'indemnisation des accidents du travail.

(2) Le paragraphe (1) ne s'applique pas à l'égard de la personne assurée qui choisit d'intenter une action visée à l'article 10 de la *Loi sur les accidents du travail*, pourvu que ce choix n'ait pas essentiellement pour but de demander des indemnités prévues par le présent règlement.

(3) Si une personne a droit à des indemnités prévues par le présent règlement à la suite d'un choix qu'elle a fait en vertu de l'article 10 de la *Loi sur les accidents du travail*, aucune indemnité de remplacement de revenu, de soignant ou de personne sans revenu d'emploi ne lui est payable pour toute période précédant ce choix.

(4) Si la personne qui, sans le paragraphe (1), aurait droit à des indemnités prévues par le présent règlement choisit d'intenter une action visée à l'article 10 de la *Loi sur les accidents du travail* et qu'il y a un différend quant à l'obligation de l'assureur de payer des frais à l'égard d'un programme de réadaptation professionnelle auquel la personne participait lorsqu'elle a fait son choix et auquel elle continue de participer, l'assureur paie les frais en attendant le règlement du différend.

(5) Malgré le paragraphe (1), en cas de différend quant à la question de savoir si le paragraphe (1) s'applique à une personne, l'assureur verse en entier à celle-ci les indemnités prévues par le présent règlement en attendant le règlement du différend si :

- a) d'une part, la personne lui cède les indemnités prévues par une loi sur les accidents du travail ou un régime d'indemnisation des accidents du travail auxquelles elle a ou peut avoir droit à la suite de l'accident;
- b) d'autre part, l'administrateur ou la commission chargé de l'application de la loi sur les accidents du travail ou de l'administration du régime d'indemnisation des accidents du travail approuve la cession.

#### AUTRES INDEMNITÉS ACCESSOIRES

60. (1) L'assureur peut déduire les montants qui suivent du montant payable à la personne assurée à titre d'indemnité de remplacement de revenu ou de personne sans revenu d'emploi :

- 1. Les indemnités d'invalidité temporaires que la personne assurée reçoit pour une période qui suit l'accident à l'égard d'une déficience qui s'est produite avant l'accident.
- 2. Toute autre indemnité périodique que la personne assurée reçoit pour une période qui suit l'accident à l'égard d'une déficience qui s'est produite avant l'accident, si elle recevait cette autre indemnité au moment où elle a été pour la première fois admissible à l'indemnité de remplacement de revenu ou de personne sans revenu d'emploi et que cette autre indemnité était alors une indemnité d'invalidité temporaire.

(2) Le versement d'une indemnité pour frais médicaux, de réadaptation ou de soins auxiliaires ou d'une indemnité prévue à la partie VI n'est pas exigé à l'égard de la fraction des frais dont le paiement peut être raisonnablement obtenu par la personne assurée aux termes d'une loi ou d'un régime, notamment une loi sur les assurances ou un régime d'assurance.

(3) La définition qui suit s'applique au présent article.

«indemnité d'invalidité temporaire» S'entend, selon le cas :

- a) d'une indemnité de remplacement de revenu ou de soignant versée aux termes du présent règlement;

- b) d'une indemnité de personne sans revenu d'emploi versée aux termes du présent règlement, sauf si elle est versée plus de 104 semaines après le début de l'invalidité;
- c) des indemnités versées aux termes de la partie II, III ou IV ou de l'article 32 du Règlement de l'Ontario 776/93;
- d) des indemnités versées aux termes de la partie V du Règlement de l'Ontario 776/93, sauf si elles ont été versées pendant plus de 104 semaines;
- e) des indemnités versées aux termes de la partie IV du Règlement 672 des Règlements refondus de l'Ontario de 1990, sauf si elles ont été versées pendant plus de 156 semaines;
- f) des indemnités versées aux termes de la subdivision II de la division 2 de l'annexe C de la loi intitulée *Insurance Act*, telle qu'elle existait avant le 22 juin 1990, sauf si elles ont été versées pendant plus de 104 semaines;
- g) des indemnités versées aux termes de l'article 37, du paragraphe 43 (9) ou du paragraphe 147 (2) de la *Loi sur les accidents du travail*;
- h) de toute autre indemnité périodique temporaire versée aux termes d'un régime de prestations pour le maintien du revenu ou d'une loi qui porte sur de telles prestations, à l'exception de ce qui suit :
  - (i) les prestations prévues par la *Loi sur l'assurance-emploi* (Canada),
  - (ii) l'indemnité de personne sans revenu d'emploi versée aux termes du présent règlement plus de 104 semaines après le début de l'invalidité,
  - (iii) les indemnités versées aux termes de la partie V du Règlement de l'Ontario 776/93 pendant plus de 104 semaines,
  - (iv) les indemnités versées aux termes de la partie IV du Règlement 672 des Règlements refondus de l'Ontario de 1990 pendant plus de 156 semaines,
  - (v) les indemnités versées aux termes de la subdivision II de la division 2 de l'annexe C de la loi intitulée *Insurance Act*, telle qu'elle existait avant le 22 juin 1990, pendant plus de 104 semaines.

#### PARTIE XIV CALCUL DU REVENU

##### FORMULE DE CALCUL DU REVENU HEBDOMADAIRE NET

61. (1) Pour l'application du présent règlement, le revenu hebdomadaire net qu'une personne a tiré d'un emploi est calculé selon la formule suivante :

$$A = \frac{B - C - D - E}{52}$$

où :

A = le revenu hebdomadaire net que la personne a tiré d'un emploi,

B = le revenu annuel brut que la personne a tiré d'un emploi,

C = la cotisation annuelle payable par la personne sur son revenu annuel brut tiré d'un emploi sous le régime de la *Loi sur l'assurance-emploi* (Canada),

D = la cotisation annuelle payable par la personne sur son revenu annuel brut tiré d'un emploi dans le cadre du *Régime de pensions du Canada* (Canada),

E = l'impôt sur le revenu payable par la personne sur son revenu annuel brut tiré d'un emploi sous le régime de la *Loi de l'impôt sur le revenu* (Canada) et de la *Loi de l'impôt sur le revenu* (Ontario).

(2) Pour l'application du paragraphe (1), la personne dont le revenu hebdomadaire net tiré d'un emploi doit être calculé est réputée un résident de l'Ontario.

#### REVENU TIRÉ D'UN EMPLOI À SON COMPTE

62. (1) Pour l'application du présent règlement, le revenu qu'une personne a tiré d'un emploi à son compte est calculé de la même manière que ses bénéfices provenant de l'entreprise dans laquelle elle était employée à son compte seraient calculés aux termes de la *Loi de l'impôt sur le revenu* (Canada) et de la *Loi de l'impôt sur le revenu* (Ontario), sans tenir compte toutefois de ce qui suit :

- a) les dépenses admissibles à titre de déductions pour amortissement ou de déductions relatives aux immobilisations admissibles;
- b) les gains ou pertes en capital;
- c) les pertes déductibles en vertu de l'article 111 de la *Loi de l'impôt sur le revenu* (Canada).

(2) Malgré le paragraphe (1), l'assureur et l'assuré nommément désigné qui est employé à son compte et qui n'est pas employé par ailleurs peuvent convenir, dans un contrat dont fait foi une police de responsabilité automobile, qu'aux fins du calcul des indemnités prévues par le présent règlement relativement à un accident qui survient pendant la période visée par le contrat, le revenu brut tiré d'un emploi à son compte par l'assuré nommément désigné pour chaque semaine est réputé le revenu hebdomadaire précisé dans le contrat si, au moment de l'accident, la personne continue d'occuper l'emploi à son compte qu'elle occupait au moment de la conclusion du contrat et qu'elle n'est pas employée par ailleurs.

(3) Lorsqu'ils précisent le revenu hebdomadaire pour l'application du paragraphe (2), l'assureur et l'assuré peuvent se servir de renseignements provenant de toutes sources, notamment de celles-ci :

- a) les déclarations de revenus des particuliers et des sociétés ainsi que les cotisations fiscales;
- b) les états financiers de particuliers et de sociétés;
- c) les données publiées sur le salaire moyen du secteur ou de la profession dans lequel l'assuré est employé à son compte.

#### CALCUL DE L'IMPÔT SUR LE REVENU

63. (1) Pour l'application du présent règlement, l'impôt sur le revenu payable par une personne sous le régime de la *Loi de l'impôt sur le revenu* (Canada) et de la *Loi de l'impôt sur le revenu* (Ontario) est calculé en ne tenant compte que des déductions et crédits d'impôt suivants qui s'appliquent à la personne aux termes de ces lois :

- 1. La déduction pour versement de pension alimentaire.
- 2. Le crédit d'impôt personnel de base.
- 3. Le crédit d'impôt de personne mariée ou le crédit d'impôt équivalent.

4. Le crédit d'impôt en raison de l'âge.

5. Le crédit d'impôt pour personnes handicapées.

6. Le crédit d'impôt pour cotisations à l'assurance-emploi.

7. Le crédit d'impôt pour cotisations au Régime de pensions du Canada.

8. Le crédit d'impôt pour cotisations au Régime de rentes du Québec.

(2) Si le calcul de l'impôt sur le revenu payable par une personne sous le régime de la *Loi de l'impôt sur le revenu* (Canada) et de la *Loi de l'impôt sur le revenu* (Ontario) est nécessaire pour calculer le montant d'une indemnité prévue par le présent règlement, la personne qui demande l'indemnité fournit à l'assureur les renseignements raisonnablement nécessaires pour lui permettre d'effectuer ce calcul.

(3) L'inobservation du paragraphe (2) ne dégage pas l'assureur de l'obligation qu'il a de respecter les délais fixés par le présent règlement à l'égard du versement de l'indemnité. Toutefois, l'assureur doit calculer le montant de l'indemnité en estimant du mieux qu'il peut l'impôt sur le revenu payable par la personne sous le régime de la *Loi de l'impôt sur le revenu* (Canada) et de la *Loi de l'impôt sur le revenu* (Ontario), sous réserve du rajustement du montant de l'indemnité une fois observé le paragraphe (2).

#### INDEMNITÉS DE CESSATION D'EMPLOI ET INDEMNITÉS DE LICENCIEMENT

64. Pour l'application du présent règlement, les indemnités de cessation d'emploi et les indemnités de licenciement ne doivent pas entrer dans le calcul du revenu d'une personne.

#### PARTIE XV DISPOSITIONS DIVERSES

##### CESSION D'INDEMNITÉS

65. (1) Est nulle la cession d'une indemnité prévue par le présent règlement.

(2) Le paragraphe (1) ne s'applique :

- a) ni à la cession visée à l'article 267.8 de la *Loi sur les assurances*;
- b) ni à la cession d'une indemnité au ministère des Services sociaux et communautaires;
- c) ni à la cession d'une indemnité au ministère de la Santé à l'égard de services, de prestations ou de droits prévus par une loi dont l'application est passée par décret du ministère des Services sociaux et communautaires au ministère de la Santé.

##### AUTOMOBILE D'ENTREPRISE OU DE LOCATION

66. (1) Le particulier qui vit en Ontario et y est ordinairement présent est réputé, pour l'application du présent règlement, l'assuré nommément désigné aux termes de la police qui assure une automobile au moment d'un accident si, à ce moment-là :

- a) soit une entité, notamment une personne morale, une association sans personnalité morale, une société en nom collectif ou en commandite ou une entreprise à propriétaire unique, met l'automobile assurée à sa disposition sur une base régulière;
- b) soit il loue l'automobile assurée pour une période de plus de 30 jours.

(2) Le particulier qui ne vit pas en Ontario ou n'y est pas ordinairement présent est réputé, pour l'application du présent



règlement, l'assuré nommément désigné aux termes de la police qui assure une automobile au moment d'un accident si, à ce moment-là :

- a) d'une part, une entité, notamment une personne morale, une association sans personnalité morale, une société en nom collectif ou en commandite ou une entreprise à propriétaire unique, met l'automobile assurée à sa disposition sur une base régulière;
- b) d'autre part, lui-même, son conjoint ou une personne à la charge de l'un ou l'autre est une personne transportée dans l'automobile assurée.

#### EXEMPLAIRES DU RÈGLEMENT

67. Sur demande, l'assureur fournit sans frais un exemplaire du présent règlement à tout assuré nommément désigné et à toute personne qui a droit aux indemnités prévues par le présent règlement.

#### AVIS DE L'ASSUREUR

68. Les avis que l'assureur doit ou peut donner à la personne assurée aux termes du présent règlement doivent être donnés par écrit.

#### FORMULES

69. Les documents qui suivent sont rédigés selon la formule qu'approuve le commissaire :

1. Les formules de demande visées à l'alinéa 32 (2) a).
2. Le certificat exigé en vertu de l'article 34.
3. L'avis visé au paragraphe 36 (2).
4. L'avis visé au paragraphe 37 (1).
5. Le plan de traitement présenté à l'assureur aux termes de l'article 38.
6. Le certificat exigé aux termes de l'alinéa 39 (1) b) ou du paragraphe 39 (2).
7. La demande visée au paragraphe 40 (1).
8. L'avis visé au paragraphe 40 (2).
9. Le rapport visé au paragraphe 43 (4).
10. L'explication visée à l'article 45.

#### DISPOSITIONS TRANSITOIRES

70. (1) Malgré toute autre disposition du présent règlement, si une police de responsabilité automobile est en vigueur le jour de l'entrée en vigueur du présent règlement, les paragraphes (2) et (3) s'appliquent jusqu'à celle des dates suivantes qui survient la première :

1. La première date d'expiration prévue par la police.
2. La date à laquelle la police est résiliée par l'assureur ou par l'assuré.

(2) Les indemnités qui suivent sont réputées prévues par la police de responsabilité automobile et s'appliquent à une personne assurée à l'égard de la police :

1. L'indemnité optionnelle de remplacement de revenu visée à la disposition 1 du paragraphe 27 (1) qui fixe le montant visé à la sous-disposition ii de la disposition 2 du paragraphe 7 (1) à 1 000 \$.
2. L'indemnité optionnelle de soignant et de personne à charge visée à la disposition 2 du paragraphe 27 (1).
3. L'indemnité optionnelle en cas de décès et pour frais funéraires visée à la disposition 4 du paragraphe 27 (1).

(3) La somme des indemnités pour frais médicaux, de réadaptation et de soins auxiliaires versées aux termes de la police de responsabilité automobile pour un même accident à l'égard de la personne assurée qui ne souffre pas d'une déficience invalidante à la suite de l'accident ne doit pas être supérieure à 1 000 000 \$, et les plafonds précisés aux alinéas 19 (1) a) et (2) a) ne s'appliquent pas.

#### ENTRÉE EN VIGUEUR

71. (1) Le présent règlement entre en vigueur le jour de l'entrée en vigueur de l'article 29 de la *Loi de 1996 sur la stabilité des taux d'assurance-automobile*.

(2) Malgré le paragraphe (1) :

- a) les paragraphes 14 (4), 15 (6), 17 (2) et 24 (2) entrent en vigueur le jour de l'entrée en vigueur de l'article 29 de la *Loi de 1996 sur la stabilité des taux d'assurance-automobile* ou le jour où la Commission des assurances de l'Ontario publie la directive intitulée *Professional Fees Guidelines* pour la première fois dans la *Gazette de l'Ontario*, selon celui de ces jours qui arrive le dernier;
- b) les paragraphes 14 (5), 15 (11) et 24 (3) entrent en vigueur le jour de l'entrée en vigueur de l'article 29 de la *Loi de 1996 sur la stabilité des taux d'assurance-automobile* ou le jour où la Commission des assurances de l'Ontario publie la directive intitulée *Directive concernant les frais de transport* pour la première fois dans la *Gazette de l'Ontario*, selon celui de ces jours qui arrive le dernier;
- c) le paragraphe 29 (3) entre en vigueur le jour de l'entrée en vigueur de l'article 29 de la *Loi de 1996 sur la stabilité des taux d'assurance-automobile* ou le jour où la Commission des assurances de l'Ontario publie la directive intitulée *Directive concernant l'indemnité optionnelle d'indexation* pour la première fois dans la *Gazette de l'Ontario*, selon celui de ces jours qui arrive le dernier.

#### Note:

1. Section 29 of the *Automobile Insurance Rate Stability Act, 1996* came into force on November 1, 1996.
2. The *Transportation Expense Guidelines* and the *Optional Indexation Benefit Guidelines* were first published in *The Ontario Gazette* on October 19, 1996.

#### Remarque :

1. L'article 29 de la *Loi de 1996 sur la stabilité des taux d'assurance-automobile* est entré en vigueur le 1<sup>er</sup> novembre 1996.
2. La *Directive concernant les frais de transport* et la *Directive concernant l'indemnité optionnelle d'indexation* ont été publiées pour la première fois dans la *Gazette de l'Ontario* le 19 octobre 1996.

## Formule 1

*Loi sur les assurances*

## ÉVALUATION DES BESOINS EN SOINS AUXILIAIRES

Envoyez la présente formule à :

N° de la police :

N° de la demande de règlement :

Servez-vous de la présente formule pour indiquer les soins auxiliaires dont le client aura besoin à l'avenir à la suite d'un accident d'automobile. Elle se compose de cinq parties :

- Partie 1 : Soins auxiliaires de niveau 1
- Partie 2 : Soins auxiliaires de niveau 2
- Partie 3 : Soins auxiliaires de niveau 3
- Partie 4 : Calcul du coût des soins auxiliaires
- Partie 5 : Signature du ou des évaluateurs

Veuillez remplir toutes les parties pertinentes. Vous devrez faire des copies et en remettre une :

- au client
- au praticien de la santé du client
- à la compagnie d'assurance du client

Nom du client

Nom du client	Date de naissance
Numéro et rue	Date de l'accident
Ville Province	Code postal
Nom du titulaire de la police (s'il ne s'agit pas du client)	N° de la police

Date de la présente évaluation :

S'agit-il de la première évaluation de ce client? Oui ☐ Non ☐

Date de la dernière évaluation

Indemnité mensuelle actuelle

Praticien de la santé du client

Nom du praticien de la santé	N° de téléphone
Établissement	
Numéro et rue	
Ville Province	Code postal

Compagnie d'assurance

Nom	N° de téléphone
Numéro et rue	
Ville Province	Code postal
Nom du titulaire de la police	N° de la police



**Partie 1 :**  
**Soins auxiliaires**  
**de niveau 1**

Les soins auxiliaires de niveau 1 sont consacrés aux soins personnels courants. Veuillez évaluer les besoins du client pour chaque activité de la liste. Estimez la durée de chacune et le nombre de fois par semaine qu'elle devrait être accomplie. Multipliez le nombre de minutes par le nombre de fois par semaine pour obtenir le nombre total de minutes par semaine à consacrer à chacune des activités.

		Nombre de minutes X	Nombre de fois par semaine =	Total des minutes par semaine
S'habiller	Haut du corps (par exemple : sous-vêtement, chemise ou blouse, chandail, cravate, veste, gants, bijoux)			
	Bas du corps (par exemple : sous-vêtement, slip jetable, jupe ou pantalon, chaussettes, bas-culotte, chaussures)			
	Total partiel			

**Se  
déshabiller**

Haut du corps (par exemple : sous-vêtement, chemise ou blouse, chandail, cravate, veste, gants, bijoux)			
Bas du corps (par exemple : sous-vêtement, slip jetable, jupe ou pantalon, chaussettes, bas-culotte, pantoufles, chaussures)			
Total partiel			

**Prothèses**

Fixer la prothèse de membre supérieur ou inférieur et les chaussettes prothétiques			
Changer les accessoires terminaux et ajuster la prothèse, au besoin			
S'assurer du bon entretien et du bon fonctionnement de la prothèse			
Total partiel			

**Orthèses**

Aider le client à revêtir les orthèses prescrites (par exemple : vêtements pour brûlés, attelles, supports, gouttières ou bas à varices)			
Total partiel			

Suite de la partie 1 ...

		Nombre de minutes X	Nombre de fois par semaine =	Total des minutes par semaine
Toilette	Visage : laver, rincer, sécher matin et soir			
	Mains : laver, rincer, sécher matin et soir, avant et après les repas ainsi qu'après élimination			
	Rasage : raser le client au moyen d'un rasoir électrique ou de sûreté			
	Maquillage : maquiller le client sur demande ou au besoin			
	Cheveux :			
	brosser et peigner au besoin			
	laver et sécher à l'aide d'un séchoir ou d'une serviette			
	faire la mise en plis, coiffer ou donner un coup de peigne			
	Ongles des mains : nettoyer et manucurer au besoin			
	Ongles des orteils : nettoyer et couper au besoin			
	Total partiel			
Alimentation	Préparer le client pour les repas (y compris l'amener au lieu du repas)			
	Servir les repas et faire manger le client, ou aider à le faire			
	Total partiel			
Mobilité (changements de pièces, comme aller à la chambre à coucher pour la sieste et en revenir)	Aider le client à se lever d'une position assise (par exemple d'un fauteuil roulant, d'une chaise, d'un sofa)			
	Surveiller ses pas ou l'aider à marcher			
	L'aider dans ses déplacements au besoin (par exemple pour passer du lit au fauteuil roulant, et vice-versa)			
	Total partiel			



Suite de la partie 1 ...

	Nombre de minutes X	Nombre de fois par semaine =	Total des minutes par semaine
Lessive additionnelle			
Laver la literie du client et ses vêtements s'il a une incontinence ou s'il renverse quelque chose			
Laver ou nettoyer le matériel orthétique qui demande un entretien particulier			
		Total partiel	
Total de la partie 1 : Additionnez tous les totaux partiels de la partie 1. Inscrivez le total ici et à la partie 4, page 9.			

## Partie 2 : Soins auxiliaires de niveau 2

Les soins auxiliaires de niveau 2 sont consacrés aux fonctions élémentaires de surveillance. Veuillez évaluer les besoins du client pour chaque activité de la liste. Estimez la durée de chacune et le nombre de fois par semaine qu'elle devrait être accomplie. Multipliez le nombre de minutes par le nombre de fois par semaine pour obtenir le nombre total de minutes par semaine à consacrer à chacune des activités.

	Nombre de minutes X	Nombre de fois par semaine =	Total des minutes par semaine
Hygiène			
Salle de bains			
Nettoyer la baignoire, la douche, le lavabo ou la toilette après usage			
Chambre à coucher			
Changer la literie du client, faire le lit, nettoyer la chambre, y compris les lève- malades, les barres aériennes, les tables de nuit			
S'assurer du confort et de la sécurité de la pièce			
Soins des vêtements			
Aider à préparer l'habillement quotidien			
Pendre les vêtements et trier les vêtements pour la lessive ou le nettoyage			
		Total partiel	
Ventilation assistée (quadriplé- gique au niveau supérieur ou presque)			
Le client n'est pas capable de raccorder le tube à la trachée s'il s'en détache			
Le client n'est pas physiquement capable d'être autonome en cas d'urgence			
		Total partiel	

Suite de la partie 2 ...

		Nombre de minutes X	Nombre de fois par semaine =	Total des minutes par semaine
Lésions de la moëlle épine (paraplégique ou quadriplé- gique)	Le client a besoin d'aide pour passer du lit au fauteuil roulant, doit être changé de position à intervalles réguliers, a besoin de soins génito-urinaires			
	Le client n'est pas physiquement capable d'être autonome en cas d'urgence			
	Total partiel			
Lésions cérébrales graves	Le client est incapable de réagir à une situation d'urgence ou a besoin de soins en milieu surveillé en raison de changements de comportement			
	Total partiel			
Soins auxiliaires occasionnels	Le client vit seul ou reste seul pendant la journée. Précisez à quel point il dépend d'autres personnes (par exemple pour les repas, la lessive, le ménage)			
	Pendant la journée, le client peut s'occuper de lui-même quand il est en fauteuil roulant ou porte une prothèse, mais il a besoin d'aide pour les repas, la lessive			
	Total partiel			
Amputé de plus d'un membre (des membres supérieurs, de trois ou de quatre membres)	Le client est incapable de s'asseoir lui-même dans un fauteuil roulant et d'en sortir ou d'être autonome en cas d'urgence			
	Total partiel			
Finances	Le client a besoin d'aide pour gérer ses finances (1 heure par semaine au maximum)			
	Total partiel			
Total de la partie 2 : Additionnez tous les totaux partiels de la partie 2. Inscrivez le total ici et à la partie 4, page 9.				

### Partie 3 : Soins auxiliaires de niveau 3

Les soins auxiliaires de niveau 3 sont consacrés aux fonctions complexes en matière de soins de santé ou d'hygiène. Veuillez évaluer les besoins du client pour chaque activité de la liste. Estimez la durée de chacune et la nombre de fois par semaine qu'elle devrait être accomplie. Multipliez le nombre de minutes par le nombre de fois par semaine pour obtenir le nombre total de minutes par semaine à consacrer à chacune des activités.



Suite de la partie 3 ...

		Nombre de minutes X	Nombre de fois par semaine =	Total des minutes par semaine
Appareil génito- urinaire	Effectuer des cathétérismes			
	Installer, vider et nettoyer les appareils de drainage			
	Laver le client et nettoyer l'équipement après utilisation ou en cas d'incontinence			
	Se servir de slips jetables au besoin			
	Répondre aux besoins rattachés au cycle menstruel au besoin			
	Surveiller les résidus			
	Total partiel			
Soins intestinaux	Administrar des lavements ou introduire des suppositoires et exécuter des stimulations ou disimpactions			
	Administrar des soins post-colostomie ou post-iléostomie			
	Installer, vider et nettoyer les systèmes de drainage, y compris les anses iliales			
	Se servir de slips jetables au besoin			
	Laver le client et nettoyer l'équipement après utilisation ou en cas d'élimination			
	Total partiel			
Soins post- trachéotomie	Changer et nettoyer les cathéters internes et externes au besoin			
	Changer le sparadrap au besoin			
	Exécuter des aspirations au besoin			
	Nettoyer et entretenir l'aspirateur			
	Total partiel			
Contrôle du ventilateur	Veiller à ce que la pression et le volume soient maintenus de la façon prescrite			
	Maintenir l'humidification selon les indications			
	Changer et nettoyer les tubes et les filtres au besoin			
	Nettoyer le système d'humidification au besoin			
	Régler l'appareil selon les besoins du client (par exemple en cas de rhume ou de congestion)			
	Total partiel			

Suite de la partie 3 ...

	Nombre de minutes X	Nombre de fois par semaine =	Total des minutes par semaine
Exercice			
Aider le client à faire son programme d'exercices ou d'étirements prescrit			
Aider le client à marcher avec des béquilles, des cannes, des attelles ou un déambulateur			
Total partiel			

Soins de la peau (sauf le bain)	S'occuper des soins de la peau : plaies, lésions, éruptions (cas d'amputations, de brûlures profondes, de lésions de la moëlle épinière, etc.)			
	Appliquer des médicaments et les pansements prescrits			
	Appliquer les crèmes, lotions, pâtes, pommades, poudres de la façon prescrite ou au besoin			
	Examiner les parties du corps pour repérer les plaies de pression, les ruptures de l'épiderme ou les éruptions			
	Changer le client de position à intervalles réguliers pour éviter ou réduire les plaies de pression ainsi que les ruptures de l'épiderme et les déchirures de la peau			
Total partiel				

Médicaments	Par voie orale			
	Administrar les médicaments prescrits			
	Surveiller la prise des médicaments et leur effet			
	Assurer l'approvisionnement en médicaments et leur contrôle			
	Par injection			
	Administrar les médicaments prescrits			
	Surveiller la prise des médicaments et leur effet			
	Assurer l'approvisionnement en médicaments et leur contrôle			
	Par inhalothérapie ou oxygénothérapie			
	Administrar la dose prescrite au besoin			
	Assurer l'approvisionnement en fournitures et leur contrôle			
	Nettoyer et entretenir l'équipement			
Total partiel				



Suite de la partie 3 ...

	Nombre de minutes X	Nombre de fois par semaine =	Total des minutes par semaine
<b>Bain</b>			
Baignoire ou douche			
Faire passer le client du lit, du fauteuil roulant ou des lève-malades à la baignoire ou à la douche, et vice-versa			
Laver et essuyer le client			
Appliquer les crèmes, lotions, pâtes, pommades, poudres de la façon prescrite ou au besoin			
Bassin hygiénique			
Préparer le matériel			
Laver et essuyer le client			
Appliquer les crèmes, lotions, pâtes, pommades, poudres de la façon prescrite ou au besoin			
Nettoyer et entretenir le matériel			
Hygiène bucco-dentaire			
Brosser les dents et passer la soie dentaire			
Désinfecter la bouche au besoin			
Nettoyer les dentiers au besoin			
		Total partiel	
<b>Autres traitements</b>			
Stimulation électrique nerveuse percutanée (TENS)			
Préparer l'appareil			
Administrer le traitement de la façon prescrite ou au besoin			
Stimulation de la colonne vertébrale (DCS)			
Examiner la peau			
Entretenir l'appareil			
		Total partiel	

Suite de la partie 3 ...

	Nombre de minutes X	Nombre de fois par semaine =	Total des minutes par semaine
Entretien des fournitures et de l'équipement			
Surveiller, commander et entretenir les fournitures ainsi que l'équipement nécessaires			
Veiller à ce que l'équipement médical spécialisé et les appareils et accessoires fonctionnels, par exemple les fauteuils roulants, appareils prothétiques, lève- malades et chaises de douche, soient sans danger			
Total partiel			
Total de la partie 3 : Additionnez tous les totaux partiels de la partie 3. Inscrivez le total ici et ci-dessous.			

**Partie 4 :**  
**Calcul du coût**  
**des soins**  
**auxiliaires**

L'évaluateur doit remplir la présente partie. Calculez l'indemnité mensuelle de soins auxiliaires pour les parties 1, 2 et 3. La somme des trois parties représentera le montant total calculé de l'indemnité mensuelle de soins auxiliaires.

	Total des minutes par semaine	Total des heures par semaine	Total des heures par mois	Taux horaire	Indemnité mensuelle de soins auxiliaires
Partie 1 (de la p. 4)	<input type="text"/> + 60 = <input type="text"/>	<input type="text"/> x 4,3 = <input type="text"/>	<input type="text"/> x 9,00 \$ = <input type="text"/> \$		
Partie 2 (de la p. 5)	<input type="text"/> + 60 = <input type="text"/>	<input type="text"/> x 4,3 = <input type="text"/>	<input type="text"/> x 7,00 \$ = <input type="text"/> \$		
Partie 3 (de la p. 9)	<input type="text"/> + 60 = <input type="text"/>	<input type="text"/> x 4,3 = <input type="text"/>	<input type="text"/> x 15,00 \$ = <input type="text"/> \$		

Montant total calculé de l'indemnité mensuelle  
de soins auxiliaires  
(Ce montant est assujéti aux plafonds permis  
par l'Annexe sur les indemnités d'accident légales)

\$
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**Partie 5 :**  
**Signature du**  
**ou des**  
**évaluateurs**

Nom		Signature
Titre		
Date		
Nom de l'établissement chargé de l'évaluation		N° de téléphone
Numéro et rue		N° de télécopieur
Ville	Province	Code postal



**ONTARIO REGULATION 506/96**  
made under the  
**PLANNING ACT**

Made: November 12, 1996  
Filed: November 22, 1996

**ZONING AREAS—GEOGRAPHIC TOWNSHIP OF  
VAN HORNE, TERRITORIAL DISTRICT OF  
KENORA**

**INTERPRETATION**

**1. In this Order,**

“accessory”, when used to describe a use, building or structure, means a use, building or structure that is normally incidental or subordinate to the principal use, building or structure located on the same lot;

“dwelling unit” means one or more habitable rooms occupied or capable of being occupied as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided with a private entrance from outside the building or from a common hallway or stairway in the building;

“mobile home” means a structure that is designed to be mobile and containing only one dwelling unit capable of being occupied as a permanent residence, but does not include a travel trailer or tent trailer or trailer otherwise designed;

“mobile home site” means an area of land with a mobile home park that is intended to be occupied by one mobile home.

**APPLICATION**

**2. This Order applies to that parcel of land situate in the geographic Township of Van Horne in the Territorial District of Kenora, being that part of the south half of the north quarter of Lot 11 in Concession II designated as Part I on Reference Plan 23R-3661, deposited in the Land Registry Office for the Land Titles Division of Kenora (No. 23).**

**GENERAL**

**3. No land to which this Order applies shall hereafter be used and no building or structure shall hereafter be erected or used except in accordance with the terms of this Order, but nothing in this Order prevents the use of any land, building or structure for any purpose prohibited by this Order if such land, building or structure was lawfully used for such purpose on the day this Order comes into force.**

**PERMITTED USES**

**4. (1) Every use of land and every erection or use of buildings or structures of the land is prohibited except the location and use of a mobile home park but the number of mobile home sites shall not exceed five.**

**(2) Buildings and structures accessory to the mobile home park are permitted, including one retail store and dwelling unit existing at the time this Order comes into force.**

**BUILDING REPAIR AND CONSTRUCTION**

**5. (1) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.**

**(2) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.**

**J. D. PARKER**  
*Assistant Deputy Minister (Acting)*  
*Municipal Operations Division*  
*Ministry of Municipal Affairs and Housing*

Dated at Toronto on November 12, 1996.

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# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—12—14

## ONTARIO REGULATION 507/96 made under the ONTARIO DRUG BENEFIT ACT

Made: November 27, 1996

Filed: November 28, 1996

Amending O. Reg. 201/96  
(General)

Note: Ontario Regulation 201/96 has been amended by Ontario Regulations 324/96, 336/96, 375/96 and 386/96.

### 1. (1) Paragraph 1 of subsection 3 (4) of Ontario Regulation 201/96 is amended by adding the following subparagraphs:

- viii. A product to which the Act has been made to apply, under section 8 of the Act, in respect of the supply of the product for a member of the family unit.
- ix. A product known as Somatropin (Humatrope) purchased on or after April 1, 1996.
- x. A product known as Stavudine (Zerit) purchased on or after April 1, 1996.
- xi. A product known as Ritonavir (Norvir) purchased on or after August 14, 1996.
- xii. A product known as Indinavir (Crixivan) purchased on or after September 13, 1996.

(2) Subsection 3 (5) of the Regulation is amended by inserting after "Schedule 1" in the second line "or referred to in subparagraphs ix, x, xi or xii of paragraph 1 of subsection 3 (4)".

50/96

## ONTARIO REGULATION 508/96 made under the ONTARIO DRUG BENEFIT ACT

Made: November 27, 1996

Filed: November 28, 1996

Amending O. Reg. 201/96  
(General)

Note: Ontario Regulation 201/96 has been amended by Ontario Regulations 324/96, 336/96, 375/96, 386/96 and 507/96.

### 1. (1) The definition of "Formulary" in subsection 1 (1) of Ontario Regulation 201/96 is revoked and the following substituted:

"Formulary" means the Ministry of Health publication titled "Drug Benefit Formulary/Comparative Drug Index (No. 35)" and dated May 27, 1996, as most recently amended on December 19, 1996.

(2) Subsection 1 (2) of the Regulation is revoked.

### 2. (1) Subparagraph iv of paragraph 1 of subsection 3 (4) of the Regulation is revoked and the following substituted:

- iv. A drug listed in Schedule F or G of the *Food and Drugs Act* (Canada) that meets the criteria set out in subsection (5).

(2) Subparagraphs ix, x, xi and xii of paragraph 1 of subsection 3 (4) are revoked.

(3) Subsection 3 (5) of the Regulation is amended by striking out "product listed in Schedule 1 or referred to in subparagraphs ix, x, xi or xii of paragraph 1 of subsection 3 (4)" in the second line and substituting "drug referred to in subparagraph iv of paragraph 1 of subsection 3 (4)".

3. Schedule 1 of the Regulation is revoked.

4. (1) Subject to subsection (2), this Regulation comes into force on December 1, 1996.

(2) Section 1 comes into force on December 19, 1996.

50/96

## ONTARIO REGULATION 509/96 made under the DRUG INTERCHANGEABILITY AND DISPENSING FEE ACT

Made: November 27, 1996

Filed: November 28, 1996

Amending Reg. 935 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 935 has been amended by Ontario Regulations 18/96, 177/96, 204/96, 337/96, 376/96 and 387/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

### 1. (1) The definition of "Formulary" in subsection 1 (1) of Regulation 935 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

"Formulary" means the Ministry of Health publication titled "Drug Benefit Formulary/Comparative Drug Index (No. 35)" and dated May 27, 1996, as most recently amended on December 19, 1996.

(2) Subsection 1 (2) of the Regulation is revoked.

2. This Regulation comes into force on December 19, 1996.

50/96

**ONTARIO REGULATION 510/96**  
made under the  
**HIGHWAY TRAFFIC ACT**

Made: November 27, 1996  
Filed: November 28, 1996

Amending Reg. 574 of R.R.O. 1990  
(Appeals)

Note: Regulation 574 has not previously been amended.

**1. Section 2 of Regulation 574 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**PART I**  
**APPEALS UNDER SECTION 50**

**2. This Part applies to appeals to the Board under section 50 of the Act.**

**2.1 (1) One member of the Board constitutes a quorum.**

(2) If two members hear an appeal and do not agree on a decision, the decision of the presiding chair of the panel is the prevailing decision of the Board.

(3) No more than three members of the Board shall hear an appeal.

**2. (1) Subsection 3 (2) of the Regulation is amended by striking out "Treasurer of Ontario" and substituting "Minister of Finance".**

**(2) Subsection 3 (6) of the Regulation is amended by striking out "counsel" at the end and substituting "a solicitor".**

**3. The Regulation is amended by adding the following Part:**

**PART II**  
**APPEALS UNDER SECTION 50.1**

**GENERAL MATTERS**

**5. This Part applies to appeals to the Board under section 50.1 of the Act.**

**6. (1) A notice of appeal shall be accompanied by a fee of \$100 payable to the Minister of Finance.**

(2) The fee shall be refunded if the Board orders that the suspension be set aside.

**7. (1) Any notice, document or paper required to be filed may be filed by,**

- (a) depositing it at the office of the Board in the City of Toronto;
- (b) mailing it by registered mail addressed to the Secretary of the Board at its office in the City of Toronto; or
- (c) by telephone transmission in accordance with section 10.

(2) A notice that is filed by registered mail is filed on the day the mail is received at the Board office.

**8. (1) If the name and address of a solicitor for a person appealing a suspension is shown in a notice of appeal, service of any notice, document or paper may be effected upon the appellant by delivering it to the solicitor at his or her address,**

(a) by mail;

(b) by leaving a copy with the solicitor or an employee in the solicitor's office;

(c) by courier; or

(d) by telephone transmission in accordance with section 10.

(2) Service by mail shall be deemed to have been made on the fifth day after the day of mailing.

(3) A notice, document or paper that is delivered by leaving a copy with a solicitor or an employee in the solicitor's office is served at the time of delivery.

(4) A notice, document or paper that is delivered by courier shall be deemed to be served on the second day that is not a holiday following the day the courier is given the copy.

**9. The Board may, upon such conditions as it thinks fit, abridge or enlarge the time for filing or serving any document or paper.**

**10. (1) The filing or service of any notice, document or paper required to be filed with or served on the Board or a person appealing a suspension may be effected upon the Board or a solicitor acting for the person appealing a suspension by telephone transmission of a facsimile of the notice, document or paper.**

(2) A document of 16 pages or more, inclusive of the cover page, may be served by telephone transmission only between 5 p.m. and 8 a.m., unless the party to be served gives prior consent.

(3) Any telephone transmission made after 5 p.m. shall be deemed to have been made the following day.

(4) Subsection (1) does not preclude a notice, document or paper being served directly on a person appealing a suspension by telephone transmission with the prior consent of the person.

**11. Any method of service or service on any person that is agreed upon by the parties is valid service.**

**12. The Board may, if it considers it advisable, adjourn any hearing before it until such time and place and upon such conditions as it thinks fit.**

**13. A person appealing a suspension has the onus of establishing the merit of the appeal.**

**COMMENCEMENT OF APPEAL**

**14. (1) An appeal to the Board under section 50.1 of the Act shall be commenced by filing with the Board a notice of appeal,**

- (a) in the form provided by the Board for that purpose; or
- (b) in writing setting out the information required by this section.

(2) Subject to subsection (3), a person appealing a suspension shall file, with the notice of appeal, two separate copies of all written material that the person appealing the suspension intends to use as evidence in support of the appeal.

(3) A person who elects not to submit all of the written material referred to in subsection (2) at the time of filing the notice of appeal shall indicate in the notice that not all of the supporting material has been filed and shall subsequently file with the Board two separate copies of the material or any additional material.



(4) A notice of appeal shall be signed by the person appealing and shall clearly state,

- (a) the person's name, date of birth, telephone number and address with the postal code;
- (b) the person's driver's licence number, if the person holds a licence, and the province or state that issued the licence;
- (c) the name of the city, town or other municipality in which the events leading to the suspension took place, if known;
- (d) the date on which the suspension commenced and the suspension number, if known;
- (e) the ground of appeal set out in section 50.1 (2) of the Act that the person relies upon;
- (f) whether the person requests,
  - (i) an oral hearing of the appeal, or
  - (ii) a decision based upon the review of written materials; and
- (g) whether all of the supporting material that the person intends to submit in support of the appeal is being filed together with the notice, or whether any additional material remains to be delivered.

(5) Upon receipt of a notice of appeal under this section, the Board shall forthwith deliver to the Registrar a copy of the notice of appeal and a copy of the written material submitted in support of the appeal, if any.

(6) Despite subsections (2) and (3), the Board shall permit any material not previously filed with the Board, or not previously served on the person appealing, to be used in evidence at an oral hearing if the Board is of the opinion that,

- (a) it is reasonable in the circumstances to do so; and

(b) any unfairness occasioned by the use of the evidence can be compensated for by an adjournment.

#### MEDICAL REPORTS

15. (1) A report of a legally qualified medical practitioner that is to be submitted in evidence shall clearly state,

- (a) the name, telephone number and address, with the postal code, of the medical practitioner;
- (b) the name, date of birth and address of the person who is the subject of the report;
- (c) that the medical practitioner has prepared the report, or is aware that the report may be used, in support of an appeal to the Board from the suspension of a driver's licence under section 50.1 of the Act;
- (d) the length of time and frequency with which the medical practitioner has attended upon the person who is the subject of the report, including the date of the most recent examination of the person that supports the findings set out in the report;
- (e) whether the medical practitioner is the family physician of the person who is the subject of the report; and
- (f) whether the medical practitioner is a specialist and, if so, the field of specialty.

(2) The report shall provide the details of any present condition, diagnosis and history of the condition that precludes the person who is the subject of the report from providing a breath or blood sample including the results of any related tests.

(3) The report shall be signed by the medical practitioner.

4. This Regulation comes into force when section 9 of the *Road Safety Act, 1996* comes into force.

50/96

#### ONTARIO REGULATION 511/96 made under the PROVINCIAL OFFENCES ACT

Made: November 27, 1996  
Filed: November 28, 1996

Amending Reg. 950 of R.R.O. 1990  
(Proceedings Commenced by Certificate of Offence)

Note: Since January 1, 1996, Regulation 950 has been amended by Ontario Regulation 485/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Schedule 43 of Regulation 950 of the Revised Regulations of Ontario, 1990 is amended by adding the following items :

#### RÈGLEMENT DE L'ONTARIO 511/96 pris en application de la LOI SUR LES INFRACTIONS PROVINCIALES

pris le 27 novembre 1996  
déposé le 28 novembre 1996

modifiant le Règl. 950 des R.R.O. de 1990  
(Instances introduites au moyen du  
dépôt d'un procès-verbal d'infraction)

Remarque : Depuis le 1<sup>er</sup> janvier 1996, le Règlement 950 a été modifié par le Règlement de l'Ontario 485/96. Pour les modifications antérieures, voir la Table des Règlements qui figure dans les Lois de l'Ontario de 1995.

1. L'annexe 43 du Règlement 950 des Règlements refondus de l'Ontario de 1990 est modifiée par insertion des numéros suivants :

219.1	Slow moving vehicle sign not attached to rear of vehicle or trailer	subsection 76 (1)
219.2	Slow moving vehicle sign not attached in accordance with regulations	subsection 76 (1)

219.3	Slow moving vehicle sign placed on fixed object	subsection 76 (4)
219.4	Prohibited use of slow moving vehicle sign	subsection 76 (6)

219.1	Panneau de véhicule lent non fixé à l'arrière du véhicule ou de la remorque	paragraphe 76 (1)
219.2	Panneau de véhicule lent non fixé conformément aux règlements	paragraphe 76 (1)
219.3	Panneau de véhicule lent posé sur un objet fixe	paragraphe 76 (4)
219.4	Usage interdit d'un panneau de véhicule lent	paragraphe 76 (6)

50/96

**ONTARIO REGULATION 512/96**  
made under the  
**FARM PRODUCTS MARKETING ACT**

Made: November 27, 1996

Filed: November 29, 1996

Amending Reg. 404 of R.R.O. 1990  
(Designation—Ontario Canola Growers' Association)

Note: Regulation 404 has not previously been amended.

**1. Section 3 of Regulation 404 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**3. Every producer who sells canola shall pay licence fees of \$2.50 a tonne to the association.**

50/96

**ONTARIO REGULATION 513/96**  
made under the  
**FARM PRODUCTS PAYMENTS ACT**

Made: November 27, 1996

Filed: November 29, 1996

Amending Reg. 447 of R.R.O. 1990  
(Fund for Producers of Canola)

Note: Regulation 447 has not previously been amended.

**1. Subsection 5 (1) of Regulation 447 of the Revised Regulations of Ontario, 1990 is amended by striking out "\$1" and substituting "\$0.50".**

50/96

**ONTARIO REGULATION 514/96**  
made under the  
**ENERGY ACT**

Made: November 27, 1996

Filed: November 29, 1996

**PROPANE STORAGE,  
HANDLING AND UTILIZATION**

1. In this Regulation,

"approved" means,

(a) with respect to a standard or a laboratory test report, that it is listed in "Titles of Standards and Laboratory Test Reports Authorized in the Province of Ontario under the *Energy Act*" dated November 1, 1996, as amended from time to time,

(b) with respect to an appliance, equipment, a component or an accessory, that it bears the label or symbol of a designated testing organization or a label or symbol authorized by the Director, certifying compliance with an approved standard or laboratory test report,

(c) with respect to an installation or work, that it complies with this Regulation or a predecessor of it as it read when the installation was done;

"certificate" means a certificate referred to in section 14 of the Act, except in section 10;

"Code" means the *Ontario Propane Code, 1996* adopted as part of this Regulation under section 2, as amended from time to time;

"cylinder handling facility" means a facility where propane in refillable cylinders is sold or otherwise distributed to end users;

"engineering services" means services performed for the purposes of the Act and includes services relating to the review of plans or drawings, requests for variances or deviations, the monitoring of field development projects, site remediation and general consultations;

"fuel features" means parts that use propane, handle propane, govern combustion or vent combustion products and the features of construction and installation that relate to the safe use and handling of propane;

"professional engineer" means a professional engineer within the meaning of the *Professional Engineers Act*;

"propane vehicle" means a vehicle that is designed to travel only or primarily on land and that is propelled by an internal combustion engine fuelled by propane;

"unacceptable condition" means,

(a) with respect to an appliance, container or work, that it is being used for a purpose other than that for which it was approved,

(b) with respect to an appliance, container or work, that an alteration to it, by the addition of a device or attachment or in any other way, or any deterioration of it, is likely to impair its safe operation, or

(c) with respect to an appliance or work that the condition of piping, tubing or hoses, the venting of products of combustion, the supply of air for combustion or the clearance from adjacent



combustible matter is likely to impair its safe operation or does not meet the requirements of this Regulation or a predecessor of it as it read when the appliance or work was installed;

"vehicle conversion centre" means any place where a person carries on the business of, or whose business includes,

(a) converting a vehicle designed to travel primarily on land and propelled by a non-propane internal combustion engine so that the vehicle's engine is fuelled by propane, or

(b) repairing, removing, altering or servicing the engine or propane fuel system, or both, of a propane vehicle.

#### CODE

2. The *Ontario Propane Code, 1996* issued by the Engineering and Standards Branch, Technical Standards Division of the Ministry of Consumer and Commercial Relations and the standards and specifications set out in it, and the "Titles of Standards and Laboratory Test Reports Authorized in the Province of Ontario under the *Energy Act*", dated November 1, 1996, as amended from time to time, are adopted as part of this Regulation.

#### SUPPLY AND USE OF PROPANE

3. (1) No person shall knowingly supply propane to or use an appliance, a container, equipment, a propane vehicle, a work or any other thing employed in the handling or use of propane that does not comply with this Regulation or a predecessor of it as it read at the time of the installation.

(2) An owner and every person responsible for the operation of an appliance, a container, equipment, a work or any other thing employed in the handling or use of propane shall ensure that an appliance, a container, equipment, a work or any other thing employed in the handling of propane is maintained in a safe operating condition.

(3) No person shall operate, or permit to be operated, an appliance or work unless it is maintained in safe operating condition and it complies with this Regulation or a predecessor of it as it read when the appliance or work was installed.

#### OPERATION OF AN APPLIANCE OR WORK

4. (1) No distributor shall supply propane to a container that is connected to an appliance or work unless the distributor,

(a) has inspected the appliance or work at least once within the previous 10 years; and

(b) is satisfied that the installation and use of the appliance or work complies with the Act and with this Regulation or a predecessor of it as it read when the appliance or work was installed.

(2) A distributor shall prepare a report on each inspection made under subsection (1) and shall retain the report until the next inspection and report are completed.

(3) This section does not apply to propane vehicles, industrial vehicles or to appliances on highway vehicles or recreational vehicles.

(4) An inspection shall be carried out by a person who is the holder of a valid certificate for the purpose.

5. (1) This section applies if a person who is exempted from section 14 of the Act installs an appliance or works on an installed appliance in his or her own detached dwelling.

(2) The person shall promptly notify the distributor after he or she completes the installation or work.

(3) The distributor shall inspect the installation or work to determine whether it complies with the requirements of the Act and regulations.

(4) A person referred to in subsection (1) shall not activate any appliance or work installed or serviced by him or her until a holder of a valid certificate has determined that the appliance and its installation comply with this Regulation.

(5) In subsection (4), "serviced" does not include the carrying out of routine maintenance.

6. (1) A distributor who finds that an appliance or work is in an unacceptable condition constituting an immediate hazard shall,

(a) immediately shut off the supply of propane to the appliance or work; and

(b) give prompt written notice of the condition to its user, including a direction that it is not to be used until the condition is corrected and a distributor has determined on re-inspection that the condition has been corrected.

(2) No user to whom notice has been given under subsection (1) shall use, or permit to be used, the appliance or work until the condition has been corrected and a distributor has determined on re-inspection that the condition has been corrected.

(3) A distributor who finds that an appliance or work is in an unacceptable condition that does not constitute an immediate hazard shall promptly give the user a written notice describing the condition and indicate in it that the distributor will shut off the supply of propane to the appliance or work within the period of time specified in the notice, which shall not be greater than 90 days.

(4) A distributor who gives notice under subsection (3) shall shut off the supply of propane to the appliance or work if the unacceptable condition is not corrected within 90 days.

(5) No user to whom notice has been given under subsection (3) shall use, or permit to be used, the appliance or work after the expiry of the period of time specified in the notice for correcting the condition, unless the condition has been corrected.

#### CERTIFICATE AND REGISTRATION HOLDER RESPONSIBILITIES

7. (1) A holder of a certificate or registration who finds that the unacceptable condition of an appliance or work is an immediate hazard shall,

(a) immediately shut off the supply of propane to the appliance or work;

(b) promptly give to the propane distributor oral notice of the actions taken under clause (a);

(c) promptly give to the user a written notice,

(i) describing the condition that constitutes an immediate hazard, and

(ii) a statement indicating that the appliance or work shall not be used until the condition is corrected; and

(d) give written notice of the condition to the distributor, including notice that the supply of propane has been shut off, within 14 days of finding the condition.

(2) No user to whom notice has been given under subsection (1) shall use, or permit to be used, the appliance or work until the condition is corrected.

(3) A holder of a certificate or registration who finds an appliance or work is in an unacceptable condition not constituting an immediate hazard shall,

- (a) immediately give oral notice of the condition to the distributor of propane to the appliance or work;
- (b) immediately give written notice to the user of the appliance or work describing the condition and advising that notice of the condition has been given to the distributor; and
- (c) give written notice of the condition to the distributor within 14 days of finding the condition.

(4) A distributor to whom notice is given under subsection (1) or (3) shall inspect the appliance or work and take the action required under section 6.

#### LABORATORY APPROVAL OF APPLIANCES, COMPONENTS, ACCESSORIES AND EQUIPMENT

8. (1) This section applies only to the testing of an appliance, equipment, a component or an accessory that is carried out at a place other than the place where they were installed for their intended use.

(2) A person may apply to a designated testing organization to have an appliance, equipment, a component or an accessory tested under this section.

(3) The Canadian Gas Association, the Canadian Standards Association, the Underwriters' Laboratories of Canada, the Underwriters' Laboratories Inc., Inchcape Testing Services NA Inc. and Inchcape Testing Services NA Ltd. are designated as organizations to test appliances, equipment, components and accessories to applicable approved standards or laboratory test reports for the purposes of clause 3.2.1 of the Canadian Gas Association Standard CAN/CGA B149.2-M95 as adopted by the Code.

(4) The Factory Mutual System is designated as an organization to test equipment, components and accessories to applicable approved standards or laboratory test reports for the purposes of clause 3.2.1 of the Canadian Gas Association Standard CAN/CGA B149.2-M95 as adopted by the Code.

(5) A designated testing organization that tests an appliance, equipment, a component or an accessory under this section shall place its label or symbol on it if it conforms to the applicable approved standards or laboratory test reports.

#### FIELD APPROVAL OF APPLIANCES, EQUIPMENT, COMPONENTS, ACCESSORIES

9. (1) This section applies only to the testing of appliances, equipment, a component or an accessory that is carried out at the place where they are installed for their intended use.

(2) A person may apply to the Director, an inspector authorized by the Director or International Approval Services Canada Inc. to have an appliance, equipment, a component or an accessory tested under this section.

(3) The Director, an inspector authorized by the Director or International Approval Services Canada Inc. may decline to test an appliance, equipment, a component or an accessory if its design is substantially the same as one that has been tested and approved by a designated testing organization.

(4) The Director, an inspector authorized by the Director or International Approval Services Canada Inc. may test appliances equipment, components and accessories to applicable approved standards or laboratory test reports for the purposes of clause 3.2.1 of the Canadian Gas Association Standard CAN/CGA B149.2-M95 as adopted by the Code.

(5) If an appliance, equipment, a component or an accessory tested under subsection (4) conforms to the applicable approved standards or laboratory test reports, an inspector authorized by the Director or International Approval Services Canada Inc. shall place their label or symbol on it.

(6) If an appliance, equipment, a component or an accessory is tested under this section, the Director, an inspector authorized by the Director or International Approval Services Canada Inc. shall,

- (a) determine whether its fuel features comply with the approved standards and this Regulation;
- (b) affix or cause to be affixed a label or symbol authorized by the Director to the appliance, equipment, a component or accessory, if the Director, an inspector authorized by the Director or International Approval Services Canada Inc. determines that its fuel features comply with the approved standards and this Regulation.

(7) An applicant shall provide to the Director, an inspector authorized by the Director or International Approval Services Canada Inc. all information, and shall conduct or cause to be conducted all tests, required to determine compliance with clause (6) (a).

(8) An applicant who applies to the Director to have an appliance, equipment, a component or an accessory tested and approved under this section shall pay the non-refundable fees prescribed in the Schedule for the time reasonably spent,

- (a) in reviewing information about the thing to be tested;
- (b) in inspecting its fuel features; and
- (c) in observing any test of the fuel features to determine their compliance with this Regulation.

10. (1) As an alternative to an application under subsection 9 (2), a user of an appliance having an input exceeding 15,000 kilowatts (50,000,000 British thermal units per hour) may, before the appliance is initially activated and used for its intended purpose, obtain a written statement from a professional engineer certifying that the appliance complies with the approved standards and this Regulation.

(2) A user seeking to certify an appliance under subsection (1) shall, for the purpose of determining compliance with clause 9 (6) (a) provide the professional engineer with all the information that he or she requires and conduct, or cause to be conducted, all tests that he or she requires.

(3) A professional engineer who certifies an appliance shall state whether the fuel features meet the requirement set out in clause 9 (6) (a).

(4) The user shall retain the certificate obtained under subsection (1), and the certificate is sufficient indication that the appliance has been approved and replaces the requirement for a label or symbol referred to in clause 9 (6) (b).

(5) Before an appliance certified by a professional engineer is activated, the user shall submit to the propane distributor a copy of the certificate, along with the name, address and telephone number of the person who will activate the appliance.

#### REGISTRATION

11. (1) An application for registration as a contractor or propane vehicle conversion contractor shall be made to the Director in the required form and be accompanied by the prescribed fee.



(2) An applicant under subsection (1) shall make separate applications to the Director,

- (a) for registration as a propane vehicle conversion contractor in respect of each vehicle conversion centre the applicant operates, if any; and
- (b) for registration as a contractor in respect of operations other than the operation of a vehicle conversion centre.

(3) An applicant under clause (2) (a) shall submit with the application for each vehicle conversion centre,

- (a) a letter from the municipality where the centre is located indicating that the use of the centre for its intended purpose does not contravene the zoning by-laws of the municipality;
- (b) a legible plan in triplicate showing,
  - (i) each building located within 75 feet of the vehicle conversion centre, and
  - (ii) any other relevant information;
- (c) a written statement identifying at least one person who is the holder of a valid internal combustion alternate fuel technician (ICE) certificate and who performs work at the applicant's vehicle conversion centre; and
- (d) confirmation that the site complies with Branch Standard No. 9.

(4) The Director shall issue a registration to a person if the person complies with subsections (1), (2) and (3).

(5) A registration expires one year after the date of its issue.

(6) A propane vehicle conversion contractor may operate a vehicle conversion centre only at the location set out in the registration.

(7) No person shall operate a vehicle conversion centre unless the person is registered as a propane vehicle conversion contractor.

(8) The holder of a registration shall display it in a conspicuous place at the business address set out on the registration.

(9) A registration is not transferable.

#### PROPANE VEHICLE CONVERSIONS

12. (1) A propane vehicle conversion contractor who operates a vehicle conversion centre shall ensure that each vehicle converted to propane at the centre is converted in compliance with this Regulation and has affixed to it the labels required by the Code.

(2) A contractor shall pay the required fee to the Director for the labels required under subsection (1).

(3) A vehicle conversion centre shall be equipped with one or more approved fire extinguishers classified in accordance with ULC Standard CAN-S508 of not less than a total 40-B,C rating.

#### VEHICLE OPERATION

13. (1) No person shall operate, or permit to be operated, a vehicle that is converted to use propane, after this Regulation comes into force, unless the labels required by the Code are affixed to the vehicle.

(2) No person shall operate, or permit to be operated, a vehicle that is converted to use propane unless the propane fuel system complies with this Regulation or a predecessor of the Regulation as it read at the time of the conversion.

(3) No person shall connect, or permit to be connected, a gasoline or propane fuelling nozzle to the fuel fill point of a vehicle equipped with a propane appliance unless the supply of propane to the main burners and pilot burners of the appliance is shut off.

(4) An operator of a vehicle with a propane appliance installed on it shall shut off, or cause to be shut off, the supply of propane to the main burner and pilot burner of the appliance before a gasoline or propane fuelling nozzle is connected by anyone to the fuel fill point of the vehicle.

(5) Except as permitted by the Code, no person shall park a vehicle inside a building, if a cylinder containing propane is mounted, installed or stored in or on the vehicle.

(6) No person shall supply propane to a tank installed on a propane vehicle unless,

- (a) the fixed liquid level gauge of the tank remains open during the filling operation; or
- (b) a tank on a propane vehicle is equipped with an approved automatic stop-fill valve and the vehicle has a label located at the fill point identifying that an approved automatic stop-fill valve is installed.

(7) A person filling a tank using a fixed liquid level gauge shall immediately stop filling and close the gauge when liquid propane appears at the outlet of the gauge.

(8) No person shall transfer propane to the tank of a propane vehicle on a highway except in an emergency.

(9) No person shall operate a propane vehicle unless the service valve of the propane tank on the vehicle is fully open when the engine of the vehicle is operating on propane fuel.

#### CYLINDER HANDLING FACILITY LICENCE

14. (1) An application for a licence to operate a cylinder handling facility may be made to the Director and, subject to subsection (2), separate applications shall be made for a licence for each facility.

(2) A holder of a licence permitting the operation of a filling plant or a container refill centre, either of which contains a cylinder handling facility, is not required to apply under subsection (1) for a separate licence for the operation of the cylinder handling facility.

(3) An applicant who applies to the Director for a licence under subsection (1) shall,

- (a) submit an application in the form required by the Director;
- (b) pay the required fee;
- (c) provide a letter from the municipality where the applicant's cylinder handling facility is located indicating that the use of the facility for its intended purpose does not contravene the zoning by-laws of the municipality; and
- (d) subject to subsections (12), (13) and (14), prepare and submit a legible plan in triplicate showing,
  - (i) the height, type and construction materials of each fence surrounding each cylinder storage area at the facility,

- (ii) the distance from each cylinder storage area at the facility to the property lines of the facility,
- (iii) each building or structure located within 50 feet of each cylinder storage area at the facility,
- (iv) the distance from each cylinder storage area at the facility to any other site where flammable or combustible substances are stored,
- (v) the location of thoroughfares and sidewalks adjacent to the facility,
- (vi) the property lines of adjoining property occupied by schools, churches, hospitals, athletic fields or other points of public gathering, and
- (vii) any other relevant information.

(4) The Director may cause an inspector to inspect a cylinder handling facility referred to in a licence or in an application for a licence to determine if the facility complies with this Regulation.

(5) The Director shall issue a licence to operate a cylinder handling facility to an applicant who,

- (a) complies with subsection (3);
- (b) pays the required fee for any engineering services or inspection services rendered; and
- (c) complies with the applicable provisions of Parts 8, 9 and 10 of the Canadian Gas Association Standard CAN/CGA B149.2-M95 as adopted in Part I of the Code in respect of cylinder handling facilities.

(6) A holder of a licence to operate a cylinder handling facility shall not make an addition or alteration to the facility unless the holder has applied for and received the written permission of the Director.

(7) The Director shall give the written permission under subsection (6) if, in his or her opinion, the addition or alteration meets the requirements of this Regulation and is not inconsistent with the applicable municipal by-laws.

(8) An applicant under subsection (6) shall,

- (a) set out in the application all details of the addition or alteration proposed;
- (b) provide a letter from the municipality under clause (3) (c), if the addition or alteration affects compliance with the municipality's zoning by-laws; and
- (c) provide a new plan under clause (3) (d), if the addition or alteration entails any changes to the plan previously provided under that clause or a predecessor of it.

(9) No person shall operate a cylinder handling facility if an addition or alteration to it is made without the Director's written permission.

(10) A licence to operate a cylinder handling facility expires one year after the date of its issue.

(11) A holder of a licence to operate a cylinder handling facility shall post the licence in a conspicuous place at the business address of the holder set out on the licence.

(12) An applicant does not have to prepare a plan under clause (3) (d) if no filling or purging of cylinders will occur at the cylinder handling facility for which the application is made.

(13) An applicant must prepare, but is not required to submit, plans under clause (3) (d) if,

- (a) the plans are approved by, and stamped with the seal of, a professional engineer;
- (b) the professional engineer submits a written declaration to the Director that the plans were approved and stamped in accordance with clause (a); and
- (c) the plans are kept at all times at the cylinder handling facility during its construction.

(14) Upon request by an inspector, an applicant under subsection (13) must produce the plans within 72 hours for inspection.

#### FILLING PLANTS AND CONTAINER REFILL CENTRES

15. (1) An application for a licence to operate a container refill centre or filling plant may be made to the Director.

(2) An applicant under subsection (1) shall,

- (a) submit an application in the form required by the Director;
- (b) pay the required fee;
- (c) provide a letter from the municipality where the container refill centre or filling plant, as the case may be, is located indicating that the use of it for its intended purpose does not contravene the zoning by-laws of the municipality;
- (d) subject to subsections (16) and (17), prepare and submit a legible plan in triplicate showing,
  - (i) the location of each propane storage tank, cylinder storage facility, underground piping or tubing and other propane handling facilities within the container refill centre or filling plant,
  - (ii) the distance from each propane storage tank and cylinder storage facility to the property lines of the centre or plant,
  - (iii) each building or structure located within 50 feet of a propane storage tank,
  - (iv) the location of each site where flammable or combustible substances are stored,
  - (v) the capacity in USWG of each propane storage tank within the centre or plant, and
  - (vi) any other relevant information; and

(e) submit a pre-installation site checklist confirming that the site complies with Branch Standard No. 9.

(3) The Director may cause an inspector to inspect a container refill centre or filling plant referred to in a licence or in an application for a licence to determine if the centre or plant complies with the applicable provisions of Part 10 of the Canadian Gas Association Standard CAN/CGA B149.2-M95 as adopted in Part I of the Code.

(4) The Director shall issue a licence to operate a container refill centre or filling plant to an applicant if,

- (a) the applicant complies with subsection (2);



- (b) the applicant pays the required fee for any engineering services or inspection services rendered; and
- (c) the centre or plant complies with the applicable provisions of Part 10 of the Canadian Gas Association Standard CAN/CGA B149.2-M95 as adopted in Part I of the Code.

(5) A holder of a licence to operate a container refill centre or filling plant shall not make an addition or alteration to it unless the holder has applied for and received the written permission of the Director.

(6) The Director shall give the written permission under subsection (5) if, in his or her opinion, the addition or alteration meets the requirements of this Regulation and is not inconsistent with the applicable municipal by-laws.

(7) An applicant under subsection (5) shall,

- (a) set out in the application all details of the addition or alteration proposed;
- (b) provide a letter from the municipality under clause (2) (c) if the addition or alteration affects compliance with the municipality's zoning by-laws; and
- (c) provide a new plan under clause (2) (d) if the addition or alteration entails any changes to the plan previously provided under that clause or a predecessor of it.

(8) No person shall operate a container refill centre or a filling plant if an addition or alteration to it is made without the Director's written permission.

(9) A holder of a licence to operate a container refill centre or a filling plant shall ensure that each employee of the holder who handles propane, each person who is authorized to transfer propane to a container and each person to whom the holder issues an access code, card or key to dispense propane is trained,

- (a) in the safe handling of propane, including the safe operation and use of propane dispensing equipment; and
- (b) in the use of emergency shut-down switches, valves and procedures in respect of propane.

(10) A licence to operate a container refill centre or a filling plant expires one year after the date of its issue.

(11) The holder of a licence to operate a container refill centre or a filling plant shall display the licence in a conspicuous place at the business address referred to in the licence.

(12) An operator of a propane vehicle situated at a container refill centre or a filling plant shall ensure that the engine ignition of the vehicle is off during refuelling of the vehicle with propane.

(13) While a propane vehicle is being refuelled with propane, no person shall knowingly have in his or her possession lighted smoking material or any other ignited substance within ten feet of,

- (a) the propane dispenser used to refuel the vehicle;
- (b) the propane tank of the vehicle; or
- (c) the propane fill point of the vehicle.

(14) No person shall knowingly refuel a propane vehicle with propane if,

- (a) the vehicle's engine ignition is on;
- (b) the main-burner or pilot light of a fuel-fired appliance on board the vehicle is on; or
- (c) any lighted smoking material or other ignited substance is within ten feet of,
  - (i) the propane dispenser used to refuel the vehicle,
  - (ii) the propane container of the vehicle, or
  - (iii) the propane fill point of the vehicle.

(15) The total capacity of all propane storage tanks at a container refill centre shall not exceed 5,000 USWG.

(16) An applicant must prepare, but is not required to submit, plans under clause (2) (d) if,

- (a) the plans are approved by, and stamped with the seal of, a professional engineer;
- (b) the professional engineer submits a written declaration to the Director that the plans were approved and stamped in accordance with clause (a); and
- (c) the plans are kept at all times at the centre or plant during its construction.

(17) Upon request by an inspector, an applicant under subsection (16) must produce the plans within 72 hours for inspection.

#### TANK TRUCK OR CARGO LINER LICENCE

16. (1) An application for a licence to transport propane in tank trucks or cargo liners used in a person's business may be made to the Director and separate applications shall be made in respect of each tank truck or cargo liner.

(2) An applicant who applies for a licence under subsection (1) shall,

- (a) submit an application in the form required by the Director; and
- (b) pay the required fee.

(3) The Director may cause an inspector to inspect a tank truck or cargo liner referred to in a licence or in an application for a licence for the truck or liner.

(4) The Director shall issue a licence to operate a tank truck or cargo liner to a person who,

- (a) complies with subsection (2);
- (b) pays the required fee for any inspection services rendered; and
- (c) complies with the applicable provisions of Part 11 of the Canadian Gas Association Standard CAN/CGA B149.2-M95 as adopted in Part I of the Code in respect of the tank truck or cargo liner.

(5) A licence for a tank truck or cargo liner expires one year after the date of its issue.

(6) A licence for a tank truck or cargo liner shall be carried in or on the tank truck or cargo liner, as the case may be, referred to in the licence.

(7) No person shall operate a tank truck or cargo liner to transport propane unless the licence for it is in or on the tank truck or cargo liner, as the case may be.

## RENEWALS

17. (1) The Director shall issue a renewal of a registration as a contractor or propane vehicle conversion contractor if the holder of the registration applies for a renewal, pays the required fee and is not in arrears of any fees owed to the Director.

(2) Subsections 11 (1) to (4) do not apply to a renewal under subsection (1).

(3) An application to renew a registration as a contractor or propane vehicle conversion contractor received by the Director after the registration has expired shall be treated as a new application to which subsections 11 (1) to (4) apply.

(4) The Director shall issue a renewal of a licence to operate a cylinder handling facility, container refill centre or a filling plant or a licence for a tank truck or cargo liner, if the holder of the licence applies for a renewal, pays the required fee for it, and pays all fees that the Director may require for inspection services.

(5) With respect to renewals under subsection (4),

(a) subsections 14 (3) and 14 (5) do not apply to a renewal of a licence to operate a cylinder handling facility;

(b) subsections 15 (2) and 15 (4) do not apply to a renewal of a licence to operate a container refill centre or a filling plant; and

(c) subsections 16 (2) and 16 (4) do not apply to a renewal of a licence for a tank truck or cargo liner.

(6) An application to renew a licence to operate a cylinder handling facility, container refill centre or a filling plant, or a licence for a tank truck or cargo liner, received by the Director after the licence has expired shall be treated as a new application to which subsection (5) does not apply.

## EXEMPTIONS

18. (1) A person is exempt from section 10 of the Act with respect to the following:

1. Manually operated industrial appliances that have an input of not more than 6 kilowatts (20,000 British thermal units per hour).

2. Bunsen burners.

3. Stationary propane engines, and portable propane engines, that are not part of a vehicle.

4. Portable propane equipment used for road construction or repair of a road.

5. Propane hand torches connected to a cylinder having a propane capacity of not more than 5 pounds by weight.

6. Appliances connected to a container having a propane capacity of not more than 0.45 pounds by weight.

7. Mobile asphalt or tar pots that are heated with propane.

8. Propane vehicles.

(2) A person who transports propane with a tank trailer is exempt from section 12 of the Act in respect of the tank trailer.

19. (1) Any person who carries on business with the public or provides police services, and operates a container refill centre or a filling plant or both, for the exclusive use of that person, is exempt from section 12 of the Act if the person,

(a) applies to the Director for approval to operate the container refill centre or filling plant; and

(b) complies with this section and subsections 15 (12) to (17).

(2) An applicant under clause (1) (a) shall,

(a) submit an application in the form required by the Director;

(b) provide a letter from the municipality where the container refill centre or filling plant, as the case may be, is located indicating that the use of it for its intended purpose does not contravene the zoning by-laws of the municipality;

(c) submit a legible plan in triplicate showing,

(i) the location of each propane storage tank, cylinder storage facility, underground piping or tubing and other propane handling facilities within the container refill centre or filling plant,

(ii) the distance from each propane storage tank and cylinder storage facility to the property lines of the centre or plant,

(iii) each building or structure located within 50 feet of a propane storage tank,

(iv) the location of each site where flammable or combustible substances are stored,

(v) the capacity in USWG of each propane storage tank within the centre or plant, and

(vi) any other relevant information;

(d) submit a pre-installation site checksheet confirming that the site complies with Branch Standard No. 9.

(3) The Director shall give approval for the applicant to operate a container refill centre or filling plant if,

(a) the applicant complies with subsection (2); and

(b) the centre or plant complies with the applicable provisions of Part 10 of Canadian Gas Association Standard CAN/CGA B149.2-M95 as adopted in Part I of the Code.

(4) A person to whom the Director has given approval to operate a container refill centre or filling plant shall not make an addition or alteration to it unless the person has applied for and received the written permission of the Director.

(5) The Director shall give the written permission under subsection (4) if, in his or her opinion, the addition or alteration meets the requirements of this Regulation and is not inconsistent with the applicable municipal by-laws.

(6) An applicant under subsection (4) shall,

(a) set out in the application all details of the addition or alteration proposed;

(b) provide a letter from the municipality under clause (2) (b) if the addition or alteration affects compliance with the municipality's zoning by-laws; and



- (c) provide a new plan under clause (2) (c) if the addition or alteration entails any changes to the plan previously provided under that clause or a predecessor of it.

(7) No person shall operate a container refill centre or a filling plant if an addition or alteration to it is made without the Director's written permission.

(8) A person to whom the Director has given approval to operate a container refill centre or a filling plant shall ensure that each employee of the holder who handles propane, each person who is authorized to transfer propane to a container and each person to whom the holder issues an access code, card or key to dispense propane is trained,

(a) in the safe handling of propane, including the safe operation and use of propane dispensing equipment; and

(b) in the use of emergency shut-down switches, valves and procedures in respect of propane.
- (3) On receiving payment of the required fee, the Director shall issue a licence or registration containing the new name.

(4) If the address on a licence or registration changes, the holder shall notify the Director of the new address within six days of the change.

(5) A holder whose licence or registration is lost or destroyed shall promptly apply to the Director for a duplicate and shall pay the required fee.

(6) On receiving payment of the required fee, the Director shall issue a duplicate licence or registration.

(7) Any duplicate registration issued due to the loss or theft of the original shall promptly be returned to the Director if the original is recovered.

- INSPECTIONS

20. (1) A person who operates a business using a tank truck, cargo liner, filling plant, container refill centre or cylinder handling facility shall inspect, or shall have the person's supplier of propane inspect, each one of them at least once a year, to determine that they comply with this Regulation, or a predecessor of the Regulation as it read when a licence was issued for them or the facility was first approved.

(2) No person shall supply propane to a tank truck, cargo liner, filling plant, container refill centre or cylinder handling facility unless a duly completed inspection report made under subsection (1), or a predecessor of subsection (1), indicates that it complies with this Regulation, or a predecessor of the Regulation as it read when a licence was issued for it or the facility was first approved.

(3) A person who makes an inspection under subsection (1) shall prepare a report of the inspection, and shall clearly identify himself or herself on the report and legibly complete, date and sign the report.

(4) A person for whom an inspection is made under subsection (1) shall retain the completed inspection report for at least three years from the date of inspection,

(a) at the filling plant, container refill centre or cylinder handling facility referred to in the inspection report; or

(b) at the place of business set out on the licence for what was inspected.

(5) A person for whom an inspection is made under subsection (1) shall, on request, produce the inspection report made under subsection (3) for examination by an inspector.

(6) A person who operates a filling plant or a container refill centre shall maintain at the plant or centre, records and plans of the location of the underground piping and tubing of the plant or centre, as the case may be, and shall, on request, produce them for examination by an inspector.
22. (1) The fees payable under this Regulation are set out in the Schedule.

(2) A person for whom inspection or engineering services are provided for the purposes of administering or determining compliance with this Regulation shall pay the prescribed fees, or cause them to be paid, including where applicable, travel time and reasonable travel and living expenses incurred by the inspector or person providing the engineering services.

(3) A fee set out in the Schedule that is expressed as an amount per hour is payable on the basis of each quarter hour or part of a quarter hour that the person charging the fee spends, subject to the minimum set out in the Schedule.
23. Ontario Regulations 250/94, 351/96 and 441/96 are revoked.

24. This Regulation comes into force 60 days after it is filed.

Schedule	
1. Application for registration as a contractor or a propane vehicle conversion contractor . . . . .	\$210.00
2. Application for a licence to operate a cylinder handling facility . . . . .	90.00
3. Application for a licence to operate a filling plant or a container refill centre, if the total water capacity of the propane storage tanks at the plant or centre measured in US water gallons (USWG) is,	
(a) not more than 1,125 USWG . . . . .	90.00
(b) more than 1,125 USWG . . . . .	.08
	per USWG or part of a USWG for the total water capacity
4. Application for a licence for a tank truck or cargo liner . . . . .	105.00
5. Issuance of a duplicate licence or registration .	15.00
6. Issuance of a licence or registration containing a new name . . . . .	15.00

GENERAL

21. (1) A licence or registration is not transferable.

(2) If the name on a licence or registration changes, the holder shall promptly apply to the Director for a licence or registration containing the new name and shall pay the required fee.

- |  |   |
|--|---|
| 7. Inspection services .....             | \$120.00<br>per hour<br>for each<br>inspector<br>provid-<br>ing the<br>services,<br>mini-<br>mum of<br>one hour |
| 8. Engineering services .....            | 120.00<br>per hour<br>for each<br>person<br>providin<br>g the<br>services,<br>minimu<br>m of one<br>hour        |
| 9. For labels for propane vehicles ..... | 100.00<br>per pack-<br>age of 10<br>labels  |

50/96



# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—12—21

## ONTARIO REGULATION 515/96 made under the PLANNING ACT

Made: November 27, 1996  
Filed: December 3, 1996

Amending O. Reg. 213/96  
(Zoning Areas—Territorial District of Kenora,  
Harbour Island, Sand Lake)

Note: Ontario Regulation 213/96 has not previously been amended.

1. Section 2 of Ontario Regulation 213/96 is revoked and the following substituted:

2. This Order applies to the land on Harbour Island in Sand Lake, in the Territorial District of Kenora, being composed of Parcels Numbers 6 and 7 on Island Location TD 83, more particularly described as Lots 1 to 6 inclusive, and Block 7 on Plan 23M-910 registered in the Land Registry Office for the Land Titles Division of Kenora (No. 23).

2. Section 5 of the Regulation is revoked and the following substituted:

5. Every use of land and every erection, location or use of buildings or structures is prohibited on Block 7 on Plan 23M-910, except conservation and open space.

KAREN SMITH  
*Manager*  
Provincial Planning Services Branch  
Ministry of Municipal Affairs and Housing

Dated at Toronto on November 27, 1996.

51/96

## ONTARIO REGULATION 516/96 made under the CROP INSURANCE ACT (ONTARIO)

Made: November 18, 1996  
Approved: December 2, 1996  
Filed: December 4, 1996

Amending Reg. 251 of R.R.O. 1990  
(Crop Insurance Plan—Sweet Cherries)

Note: Regulation 251 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. The Table to subsection 12 (1) of the Schedule to Regulation 251 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

TABLE

Percentage Selected by Insured	Base Premium Rate
65	29.5%
70	31.5%
75	33.3%

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
*Chair*

MATT TULLOCH  
*Secretary*

Dated at Guelph on November 18, 1996.

51/96

## ONTARIO REGULATION 517/96 made under the CROP INSURANCE ACT (ONTARIO)

Made: November 18, 1996  
Approved: December 2, 1996  
Filed: December 4, 1996

Amending Reg. 236 of R.R.O. 1990  
(Crop Insurance Plan—Pears)

Note: Regulation 236 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. The Table to subsection 12 (1) of the Schedule to Regulation 236 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

TABLE

Percentage Selected by Insured	Base Premium Rate
70	14.6%
75	16.0%
80	17.5%

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
*Chair*

MATT TULLOCH  
*Secretary*

Dated at Guelph on November 18, 1996.

51/96

**ONTARIO REGULATION 518/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: November 18, 1996  
Approved: December 2, 1996  
Filed: December 4, 1996

Amending Reg. 226 of R.R.O. 1990  
(Crop Insurance Plan—Grapes)

Note: Since January 1, 1996, Regulation 226 has been amended by Ontario Regulation 281/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. The Table to subsection 12 (1) of the Schedule to Regulation 226 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

TABLE				
Category and Percentage Selected By Insured	70	75	80	85
Labrusca	4.9%	5.6%	6.3%	7.0%
French Hybrid	6.1%	6.9%	7.7%	8.6%
Vinifera	7.5%	8.5%	9.5%	10.6%

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
*Chair*

MATT TULLOCH  
*Secretary*

Dated at Guelph on November 18, 1996.

51/96

**ONTARIO REGULATION 519/96**  
made under the  
**CROP INSURANCE ACT (ONTARIO)**

Made: November 18, 1996  
Approved: December 2, 1996  
Filed: December 4, 1996

Amending Reg. 234 of R.R.O. 1990  
(Crop Insurance Plan—Peaches)

Note: Regulation 234 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. The Table to subsection 13 (1) of the Schedule to Regulation 234 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

TABLE

Percentage Selected by Insured	Base Premium Rate
70	19.6%
75	22.1%
80	24.4%

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
*Chair*

MATT TULLOCH  
*Secretary*

Dated at Toronto on November 18, 1996.

51/96

**RÈGLEMENT DE L'ONTARIO 519/96**  
pris en application de la  
**LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)**

pris le 18 novembre 1996  
approuvé le 2 décembre 1996  
déposé le 4 décembre 1996

modifiant le Règl. 234 des R.R.O. de 1990  
(Régime d'assurance-récolte sur les pêches)

Remarque : Le Règlement 234 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des Règlements qui figure dans les Lois de l'Ontario de 1995.

1. Le tableau figurant au paragraphe 13 (1) de l'annexe du Règlement 234 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

TABLEAU

Pourcentage choisi par l'assuré	Taux de prime de base
70	19,6%
75	22,1%
80	24,4%

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE :

WILLIAM JONGEJAN  
*Président*

MATT TULLOCH  
*Secrétaire*

Fait à Toronto le 18 novembre 1996.



**ONTARIO REGULATION 520/96**  
made under the  
**FARM PRODUCTS MARKETING ACT**

Made: November 14, 1996  
Approved: December 2, 1996  
Filed: December 4, 1996

Amending Reg. 443 of R.R.O. 1990  
(Wheat—Plan)

Note: Regulation 443 has not previously been amended.

**1. Section 8 of the Schedule to Regulation 443 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**8. (1)** Subject to subsection (2), producers in each county, provisional county, regional municipality and territorial district with at least 10 producers form a county group.

**(2)** Two or more county groups in the same district may amalgamate in order to meet the 10 producers requirement by giving notice of the amalgamation to the local board by October 31 in the year before the year in which the amalgamated county group elects its allotted number of representatives to its District Wheat Producers' Committee.

**2. Section 10 of the Schedule to the Regulation is revoked and the following substituted:**

**10. (1)** The District Wheat Producers' Committee shall collectively consist of at least 85 representatives.

**(2)** By December 31 in each year, the local board shall calculate the number of representatives on the District Wheat Producers' Committee that are to be allotted to each county group.

**(3)** Each county group shall be allotted the number of representatives, rounded up, on its District Wheat Producers' Committee represented by the product of 85 and the sum of,

**(a)** 60 per cent of the proportion of the number of producers registered with the local board for the county on the preceding November 30 to the total number of producers registered with the local board on that date; and

**(b)** 40 per cent of the proportion of the amount of wheat marketed from the county during the 12-month period ending on the preceding November 30 to the total amount of wheat marketed from all districts during that period.

**(4)** Calculations are to be based on averages using seven consecutive years of data including data for the preceding crop year, with data for the high and low years removed.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

JAMES WHEELER  
*Chair*

GLORIA MARCO BORYS  
*Secretary*

Dated at Guelph on November 14, 1996.

51/96

**ONTARIO REGULATION 521/96**  
made under the  
**FARM PRODUCTS MARKETING ACT**

Made: November 13, 1996  
Approved: December 2, 1996  
Filed: December 4, 1996

Amending Reg. 403 of R.R.O. 1990  
(Chickens—Plan)

Note: Regulation 403 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 1 of the Schedule to Regulation 403 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**1.** This plan may be cited as the "Ontario Chicken Plan".

**2. Section 5 of the Schedule to the Regulation is revoked and the following substituted:**

**5.** There shall be a board called "Chicken Farmers of Ontario".

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

JAMES WHEELER  
*Chair*

GLORIA MARCO BORYS  
*Secretary*

Dated at Guelph on November 13, 1996.

51/96

**ONTARIO REGULATION 522/96**  
made under the  
**PLANNING ACT**

Made: December 5, 1996  
Filed: December 6, 1996

**ZONING AREAS—VILLAGE OF ELORA,  
COUNTY OF WELLINGTON**

**1. (1)** This Order shall be deemed for all purposes, except the purposes of section 24 of the Act, to be a by-law passed by the Council of the Village of Elora to amend the Village of Elora By-law No. 3196/95 as amended to the date this Order comes into force ("By-law 3196/95").

**(2)** This amendment to By-law 3196/95 shall be deemed to be in force on the day this Order comes into force.

**(3)** This deemed by-law shall be referred to as By-law Number 3226/96 of the Village of Elora.

**2. (1)** Subject to section 3, every use of land and every erection or use of buildings or structures on the lands described in section 4 is prohibited, except the uses which are permitted in the "M2-General Industrial" Zone of By-law 3196/95.

**(2)** The lands described in section 4 shall constitute "Exception Zone M2-12" to By-law 3196/95.

**3.** Despite section 7.16 of By-law 3196/95, the maximum height of any building or structure on the lands described in section 4, shall be 20

metres. Despite this maximum height provision, nothing in this section shall apply to prevent the construction or use of a church spire, a belfry, a flag pole, a clock tower, a chimney, a water storage tank, an air conditioner duct, an elevator penthouse, a solar collector, an electric or communication tower antenna or similar device or a cooling tower.

4. This Order applies to the lands in the Village of Elora in the County of Wellington, designated as parts 1 and 2 on Reference Plan 61R-7228, deposited in the Land Registry Office for the Registry Division of Wellington (No. 61).

J. D. PARKER  
Assistant Deputy Minister (Acting)  
Municipal Operations Division  
Ministry of Municipal Affairs and Housing

Dated at Toronto on December 5, 1996.

51/96

**ONTARIO REGULATION 523/96**  
made under the  
**MUNICIPAL ACT**

Made: December 4, 1996  
Filed: December 6, 1996

**DETERMINATION OF APPORTIONMENTS  
AND LEVIES, 1996**

1. In this Regulation,

"conservation authority" means a conservation authority that makes an apportionment in 1996 on the basis of discounted equalized assessment;

"conservation authority area" means the area over which a conservation authority has jurisdiction;

"conservation authority levy" means the amount required for administrative and capital costs in 1996 by a conservation authority;

"discount factor" means the discount factor for an upper tier municipality, a district board or a conservation authority located within a district board area as set out in Column 2 of Schedule 2;

"discounted assessment" means the sum of,

- (a) the product obtained by multiplying the residential and farm assessment by the discount factor prescribed for that upper tier municipality, district board or conservation authority located within a district board area,
- (b) the commercial assessment, including the attributable commercial assessment under the *Municipal Extra-Territorial Tax Act*, where applicable, and
- (c) the equivalent assessment for the municipality as determined under Part I, II or III, as the case may be;

"discounted equalized assessment" means the discounted assessment of a municipality divided by its prescribed equalization factor and multiplied by 100;

"district board" means a district welfare administration board or a board of management for a home for the aged that is required by the Act

establishing it to make an apportionment in 1996 on the basis of equalized assessment;

"district board area" means the area over which a district board has jurisdiction;

"last returned assessment roll" means, for regional, county, district board and defined area apportionments, the assessment roll required to be returned to the clerk of the municipality in 1995 in accordance with section 36 of the *Assessment Act* and for conservation authority apportionments, the assessment roll required to be returned to the clerk of the municipality in 1994 in accordance with section 36 of the *Assessment Act*;

"prescribed equalization factor" means the factor as set out in Column 2 of Schedule 1 for regions, counties and district boards and Column 2 of Schedule 4 for conservation authorities;

"supporting municipality" means,

- (a) an area municipality defined in any Act establishing a regional municipality,
- (b) a municipality required to provide money to a county for county purposes under subsection 366 (6) or 374 (6) of the *Municipal Act*, or
- (c) a municipality that is located wholly or partly within a district board area or a conservation authority area and against which an apportionment utilizing equalized assessment is to be made in 1996 by the district board or conservation authority.

**PART I**  
**REGIONAL MUNICIPALITIES**

2. (1) In this Part,

"annual sum required for regional purposes" means the amount required in 1996 by a regional municipality for general regional purposes including the sums required for any board, commission or other body but excluding sums required for school purposes;

"apportionment" means an apportionment of an annual sum required for regional purposes among the area municipalities within a regional municipality made under the Act establishing the regional municipality;

"average municipal commercial mill rate" means, in respect of an area municipality, the rate obtained by dividing the total taxes levied for all purposes, other than for school purposes and under sections 33 and 34 of the *Assessment Act*, on the commercial assessment for the preceding year by the total commercial assessment for the preceding year, multiplied by 1,000;

"average overall commercial mill rate" means, in respect of an area municipality, the rate obtained by dividing the total taxes levied for all purposes, other than under sections 33 and 34 of the *Assessment Act*, on the commercial assessment of public school supporters in the preceding year by the total commercial assessment of public school supporters for the preceding year, multiplied by 1,000;

"equivalent assessment" means the sum of,

- (a) the valuations contained on the last returned assessment roll for which payments in lieu of taxes on real property and business assessment, including a payment in respect of regional levies, are payable, but reduced where payment is predicated on the current year's residential and farm mill rate, by multiplying that assessment by the appropriate upper tier discount factor for purposes of determining a discounted assessment for that area municipality,



- (b) the amount determined by dividing the 1996 entitlements under section 157 of the *Municipal Act* less any adjustments made in 1996 to correct prior year entitlements, by the average municipal commercial mill rate and multiplying the result by 1,000,
- (c) the amount determined by dividing the 1995 entitlements under the *International Bridges Municipal Payments Act, 1981*, and any agreement providing payments in lieu of taxes for international bridges, by the average municipal commercial mill rate and multiplying the result by 1,000, and
- (d) the amount determined by dividing the 1996 entitlements under section 159 of the *Municipal Act* by the average overall commercial mill rate and multiplying the result by 1,000;

"special levy" means an amount apportioned among and levied upon two or more area municipalities by a regional municipality for library, sewage, transit or day care purposes on the basis of equalized assessment where the amount is not included in the annual sum required for regional purposes;

"special regional area" means an area comprised of those area municipalities among which a special levy is to be apportioned in 1996.

(2) For the purposes of this Part, the discounted equalized assessment of a regional municipality is the total of the discounted equalized assessments of area municipalities within the regional municipality.

(3) With respect to each area municipality in the regional municipalities of Durham, Hamilton-Wentworth and York that receives payments in lieu of taxes from the Crown in right of Canada, the valuations contained on the last returned assessment roll for which such payments are payable by the Crown in right of Canada shall be used.

(4) If the Ministry of Finance receives notice on or before December 31, 1997, that the payments in lieu of taxes from the Crown in right of Canada have been reduced for 1996, the Ministry shall recalculate the valuations referred to in subsection (3) and shall notify the corresponding regional municipality.

(5) Subject to subsection (6), the apportionments for each area municipality under subsection (3) shall be deemed to be final.

(6) If valuations are recalculated under subsection (4), and if the council of a regional municipality decides that the apportionments should also be recalculated, the council shall notify the Ministry of Finance and the apportionments for all area municipalities in the regional municipality shall be recalculated accordingly.

3. In 1996, the Ministry of Finance shall determine,

- (a) the discounted equalized assessment of each area municipality; and
- (b) the discounted equalized assessment of each regional municipality.

4. The Ministry of Finance shall, in respect of each regional municipality, determine the percentage share of apportionment, correct to three decimal places, for each area municipality within the regional municipality by dividing the discounted equalized assessment of each area municipality as determined under clause 3 (a) by the discounted equalized assessment of the regional municipality as determined under clause 3 (b) and multiplying the result by 100.

5. The discounted equalized assessment determined under clause 3 (a) and the respective percentage share of apportionment determined

for each area municipality under section 4 shall be substituted for the weighted equalized assessment or equalized assessment in the notice of the weighted equalized assessment or equalized assessment of each area municipality that is sent by the Ministry of Finance to a regional municipality and to the area municipalities under an Act establishing a regional municipality.

6. For 1996, the apportionment of an annual sum required for regional purposes among the area municipalities within a regional municipality shall be made on the basis of the percentages determined for each area municipality under section 4.

7. (1) Sections 1, 2, 3, 4, 6 and 9 apply, with necessary modifications, to a special levy in 1996, and to a special regional area as if a special levy was the annual sum required for regional purposes of the regional municipality and the special regional area was the regional municipality.

(2) Despite any other provision of this Regulation, where the Act authorizing a special levy authorizes the special levy to be apportioned among area municipalities according to the assessment for a specified part of the area municipality and where a regional municipality proposes to use the assessment for only part of an area municipality in apportioning a special levy under that Act, the assessment for that part of the area municipality shall, for the purposes of subsection (1), be deemed to be the assessment for the whole area municipality.

8. Despite sections 2 to 7, for the apportionment of the general levy and library levy for The Regional Municipality of Hamilton-Wentworth, the percentage shares of apportionment shall be the percentages set out in Column 2 of Schedule 5.

9. If the equalization factor, the residential and farm assessment, the commercial assessment or the equivalent assessment, as determined under this Part, of one or more area municipalities is altered by the Ontario Municipal Board upon an appeal, the treasurer of the regional municipality shall determine what portion of the annual sum required for regional purposes would have been apportioned to each of the area municipalities within the regional municipality in 1996 under this Regulation.

10. This Part does not apply to The Municipality of Metropolitan Toronto, The Regional Municipality of Haldimand-Norfolk, the Regional Municipality of Halton, The Regional Municipality of Niagara, The Regional Municipality of Ottawa-Carleton, The Regional Municipality of Peel, The Regional Municipality of Sudbury, The Regional Municipality of Waterloo, The District Municipality of Muskoka or The Restructured County of Oxford.

## PART II COUNTIES

11. (1) In this Part,

"annual sum required for county purposes" means the amount required in 1996 by a county municipality for general county purposes including the sums required for any board, commission or other body but excluding sums required for school purposes;

"apportionment" means an apportionment of the annual sum required for county purposes among all supporting municipalities within a county under subsection 366 (6) or 374 (2) of the *Municipal Act*;

"average municipal commercial mill rate" means, in respect of a supporting municipality, the rate obtained by dividing the total taxes levied for all purposes, other than for school purposes and other than under sections 33 and 34 of the *Assessment Act*, on the commercial assessment for 1994 by the total commercial assessment for 1994 multiplied by 1,000;

"special county area" means an area comprised of those supporting municipalities among which a special levy is to be apportioned in 1996;



"special levy" means an amount apportioned among and levied upon two or more supporting municipalities by a county for county road or library purposes on the basis of equalized assessment where that amount is not included in the annual sum required for county purposes.

(2) In this Part, the discounted equalized assessment of the county is the total of the discounted equalized assessments of all supporting municipalities within the county.

12. The clerk of each supporting municipality shall provide to the clerk of the county in which the municipality is located, a written statement indicating with respect to the supporting municipality,

- (a) its prescribed equalization factor;
- (b) its residential and farm assessment;
- (c) its commercial assessment;
- (d) its total payments in lieu of taxes for 1994 as defined in subsection 366 (1) of the *Municipal Act*;
- (e) its portion of payments in lieu of taxes as determined under clause (d) not located for school purposes; and
- (f) its equivalent assessment for apportionment purposes, obtained by dividing the portion of payments in lieu of taxes for 1994 as determined under clause (e) by the average municipal commercial mill rate and multiplying the result by 1,000.

13. In 1996, the treasurer of each county shall determine,

- (a) the discounted equalized assessment of each supporting municipality in the county; and
- (b) the discounted equalized assessment of the county.

14. The treasurer of each county shall determine the percentage share of apportionment, correct to three decimal places, for each supporting municipality within the county by dividing the discounted equalized assessment of each supporting municipality as determined under clause 13 (a) by the discounted equalized assessment of the county as determined under clause 13 (b) and multiplying the result by 100.

15. Sections 11 to 14 and 16 and 17 apply, with necessary modifications, to a special levy of a county in 1996 and to the special county area as if the special levy was a levy of the county under subsection 366 (6) of the *Municipal Act* and the special county area was the county.

16. Unless an amending by-law is passed under subsection 366 (9) of the *Municipal Act*, a by-law passed by the council of a county under subsection 366 (6) of that Act shall apportion the annual sum required for county purposes on the basis of the percentage determined for each supporting municipality under section 14 and the amount that each supporting municipality is required to provide is the amount so determined.

17. If the council of the county finds a determination made under section 13, 14 or 15 to be incorrect, the council on or before December 31, 1996 shall amend the percentage shares of apportionment set out in the by-law passed under subsection 366 (6) of the *Municipal Act* and shall notify the Ministry of Municipal Affairs and Housing of the amendment.

18. If a by-law of a county passed under subsection 366 (6) of the *Municipal Act* is amended by a by-law passed under subsection 366 (9) of that Act, the amending by-law shall specify the amount to be provided by each supporting municipality within the county in 1996.

19. The treasurer of the county shall determine the responsibility of each supporting municipality in accordance with sections 13 to 16 and the council of the county shall, by amending the by-law passed under subsection 366 (6) of the *Municipal Act*, adjust accordingly the amounts to be provided by each supporting municipality if,

- (a) the Ontario Municipal Board, upon an appeal under subsection 366 (11) of the *Municipal Act*, determines that the equalization factor, the residential and farm assessment, the commercial assessment or the equivalent assessment, as determined under this Part, of one or more supporting municipalities within the county should be altered;
- (b) an adjustment of percentage shares is made by the Ontario Municipal Board under subsection 366 (18) of that Act; or
- (c) the clerk of a county receives written notification from the clerk of a supporting municipality indicating a revision to the statement supplied in accordance with section 12.

20. Despite sections 11 to 19, for the purposes of calculating the discounted equalized assessment in 1996 for municipalities where a proclamation has been made for the return of a new assessment roll under section 63 of the *Assessment Act*, the equalized equivalent assessment shall be the amount set out in Column 2 of Schedule 3.

21. This Part does not apply to the County of Brant, the County of Bruce, the County of Dufferin, the County of Elgin, the County of Essex, the County of Hastings, the County of Huron, the County of Kent, the County of Lambton, the County of Lanark, the County of Leeds and Grenville, the County of Middlesex, the County of Perth, the County of Prescott and Russell, the County of Prince Edward, the County of Renfrew or the County of Wellington.

### PART III DISTRICT BOARDS

22. (1) In this Part,

"apportionment" means an apportionment made by a district board among all the municipalities within the district board area of the total amount required for the purposes of the district board under the Act establishing the district board;

"average municipal commercial mill rate" means in respect of a supporting municipality, the rate obtained by dividing the total taxes levied for all purposes, other than for school purposes and under sections 33 and 34 of the *Assessment Act*, on the commercial assessment in 1995 by the total commercial assessment for 1995 multiplied by 1,000;

"average overall commercial mill rate" means in respect of a supporting municipality, the rate obtained by dividing the total taxes levied for all purposes, other than under sections 33 and 34 of the *Assessment Act*, on the commercial assessment of public school supporters for 1995 by the total commercial assessment for 1995, multiplied by 1,000;

"equivalent assessment" means the sum of,

- (a) the valuations contained on the last returned assessment roll for which payments in lieu of taxes on real property and business assessment are payable but,
  - (i) reduced, where payment is predicated on the residential and farm mill rate, by multiplying that assessment by the appropriate discount factor for purposes of determining a discounted assessment for that supporting municipality, and
  - (ii) if a municipality is entitled to receive a payment from Ontario Hydro under subsection 52 (6) of the *Power*



*Corporation Act*, substituting the amount determined by dividing the 1995 payment in lieu of taxes on real property and business assessment by the average overall commercial mill rate and multiplying the result by 1,000 for the valuations payable from Ontario Hydro,

(b) the amount determined by dividing the sum of,

- (i) the 1995 entitlements under section 157 of the *Municipal Act*; and
- (ii) the difference, if greater than zero, determined by subtracting the assessed value of all provincial parks and wilderness areas in a municipality multiplied by the average commercial mill rate and divided by 1,000, from the amount the municipality was entitled to receive in 1983 under section 4 of the *Provincial Parks Municipal Tax Assistance Act* as that provision read on December 31, 1983,

by the average commercial mill rate and multiplying the result by 1,000, and

(c) the amount determined by dividing the 1995 entitlements under section 159 of the *Municipal Act* by the average overall commercial mill rate and multiplying the result by 1,000;

"municipality" means,

- (a) a supporting municipality, except an area municipality in The Regional Municipality of Sudbury, and
- (b) The Regional Municipality of Sudbury;

"municipality within a district board area" means a municipality that is located within a district board area and against which an apportionment is to be made in 1996 by the district board.

(2) In this Part, the discounted equalized assessment of a district board is the total of the discounted equalized assessments of the municipalities within the district board area.

(3) Despite subsection (2), for the purposes of this Part, the discounted equalized assessment of The Regional Municipality of Sudbury is the sum of the discounted equalized assessments of the supporting municipalities within the regional municipality.

23. In 1996, the Ministry of Finance shall determine in respect of each district board,

- (a) the discounted equalized assessment of each municipality within the district board area; and
- (b) the discounted equalized assessment of each district board.

24. The Ministry of Finance shall, in respect of every district board, determine the percentage share of apportionment, correct to three decimal places, for each municipality within the district board area by dividing the discounted equalized assessment of each municipality as determined under clause 23 (a) by the discounted equalized assessment of the district board as determined under clause 23 (b) and multiplying the result by 100.

25. The discounted equalized assessment determined under clause 23 (a) and the respective percentage share of apportionment determined for each municipality under section 24 shall be substituted for the weighted equalized assessment or equalized assessment in the notice of the weighted equalized assessment or equalized assessment of each municipality that is sent by the Ministry of Finance to a district board under the Act establishing the district board.

26. (1) For 1996, the apportionment of the total sum required for district board purposes among the municipalities within a district board area shall be made on the basis of the percentages determined for each municipality under section 24.

(2) The Ministry of Finance shall submit to each district board, a statement showing the information mentioned in clauses 23 (a) and (b), and the calculations which produced that information.

(3) Upon receipt of the statement referred to in subsection (2), the district board shall promptly forward a copy of the statement to the clerk of each municipality within the district board area.

27. Each district board shall forward to the Ministry of Municipal Affairs and Housing a statement showing the total amount apportioned for 1996, as modified by subsection 26 (1), among the municipalities within the district board area under the Act establishing the district board.

28. (1) If the equalization factor, the residential and farm assessment, the commercial assessment or the equivalent assessment, as determined under this Part, of one or more municipalities within a district board area is altered by the Ontario Municipal Board upon an appeal under the Act establishing the district board, notice of the alteration shall be given promptly by the clerk of the municipality to the Ministry of Finance.

(2) Upon being satisfied that all appeals have been determined and that all notices required under subsection (1) have been received, the Ministry of Finance shall, using the altered equalization factor, residential and farm assessment, commercial assessment or equivalent assessment, as the case may be,

- (a) make the determinations required under sections 22, 23, and 24; and
- (b) revise the notice and information to be supplied under sections 25 and 26.

(3) When a district board receives a notice revised by the Ministry of Finance under clause (2) (b), the district board shall amend the apportionment of the total sum required for district board purposes among the municipalities within the district board area on the basis of the adjusted equalized assessments as determined.

29. Despite sections 22 to 28, for the purpose of calculating the discounted equalized assessment in 1996 of municipalities where a proclamation has been made for the return of a new assessment roll under section 63 of the *Assessment Act*, the equalized equivalent assessment shall be the amount set out in Column 2 of the Schedule 3.

#### PART IV CONSERVATION AUTHORITIES

30. (1) In this Part,

"apportionment" means an apportionment made by a conservation authority among the municipalities within the conservation authority area of an amount required for the purposes of the conservation authority under the *Conservation Authorities Act*;

"municipality" means a regional municipality, supporting municipality, city or separated town;

"municipality within a conservation authority area" means a municipality that is located wholly or partly within a conservation authority area and against which an apportionment is to be made in 1996 by the conservation authority.

(2) In this Part, the discounted equalized assessment of a conservation authority is the total of the discounted equalized assessments of all municipalities within a conservation authority area.

(3) Where only part of a municipality against which an apportionment is made by a conservation authority in 1996 is located within the conservation authority area, the discounted equalized assessment for that part of the municipality shall be deemed to be the discounted equalized assessment for the whole municipality for the purposes of this Part.

(4) For the purposes of this Part, the discounted equalized assessment of a regional municipality is the sum of the discounted equalized assessments of the municipalities within the regional municipality.

31. In 1996, the Ministry of Natural Resources shall determine in respect of each conservation authority,

- (a) the discounted equalized assessment of each municipality within the conservation authority area; and
- (b) the discounted equalized assessment of each conservation authority.

32. The Ministry of Natural Resources shall, in respect of each conservation authority, determine the 1996 percentage share of apportionments, correct to four decimal places, for each municipality within the conservation authority area by dividing the discounted equalized assessment of each municipality, as determined under clause 31 (a), by the discounted equalized assessment of the conservation authority, as determined under clause 31 (b) and multiplying the result by 100.

33. The discounted equalized assessment determined under section 31 and the respective 1996 percentage share of apportionment determined for each municipality under section 32 shall be substituted for the equalized assessment in the notice of the equalized assessment that is provided to the conservation authority by the Ministry of Natural Resources under the Act establishing a conservation authority.

34. (1) For 1996, the apportionment of the conservation authority levies among the municipalities within a conservation authority area shall be made on the basis of the percentages determined for each municipality under section 32.

(2) The Ministry of Natural Resources shall submit to each conservation authority to which subsection (1) applies a statement showing the information mentioned in clauses 31 (a) and (b) and the calculations which produced that information.

(3) A conservation authority shall, upon receipt of the statement referred to in subsection (2), promptly forward a copy of the statement to the clerk of each municipality within the conservation authority area.

35. Each conservation authority shall forward to the Ministry of Natural Resources a statement showing the total amount apportioned for 1996, under subsection 34 (1), among the municipalities within the conservation authority area under the Act establishing the conservation authority.

36. (1) Where the equalization factor, the residential and farm assessment or the commercial assessment of one or more municipalities within a conservation authority area is altered by the Ontario Municipal Board upon an appeal under the Act establishing the conservation authority, notice of the alteration shall be given promptly by the clerk of the municipality to the Ministry of Natural Resources.

(2) Upon being satisfied that all appeals have been determined and that all notices under subsection (1) have been received, the Ministry of Natural Resources shall, using the altered equalization factor, the residential and farm assessment or the commercial assessment, as the case may be,

(a) make the determinations required under sections 31 and 32; and

(b) revise the notice and information to be supplied under sections 33 and 34.

(3) When a conservation authority receives a notice revised by the Ministry of Natural Resources under clause (2) (b), the conservation authority shall amend the apportionment of the total sum required for conservation authority purposes among the municipalities within the conservation authority area on the basis of the adjusted discounted equalized assessments.

## PART V GENERAL

37. (1) Where any Act requires the Ministry of Finance or the Ministry of Municipal Affairs and Housing to equalize assessment rolls or parts of an assessment roll that relate to two or more defined areas within a supporting municipality, the Ministry of Municipal Affairs and Housing shall, in equalizing each assessment roll or each part of it for purposes of municipal taxation in 1996, use the same equalization factor as was used to equalize the assessment roll or part of it for purposes of municipal taxation in 1995.

(2) Subsection (1) does not apply to a supporting municipality where there has been a different assessment generally of real property within that supporting municipality under section 58 of the *Assessment Act*.

38. If the Ministry of Municipal Affairs and Housing, Ministry of Finance or Ministry of Natural Resources, as the case may be, determines in respect of an apportionment and levy of a regional municipality, county, district board or conservation authority that any calculation made under this Regulation was made incorrectly or was based on incorrect information, the Ministry of Municipal Affairs and Housing may correct that apportionment and the levy shall be adjusted in accordance with the corrected calculations and any overpayment or underpayment by a supporting municipality shall be corrected in the same manner as it is corrected following an appeal of a county apportionment by-law or of a discounted equalized assessment being used for apportionment purposes, as applicable.

39. This Regulation applies to apportionments and levies made on or after January 1, 1996.

40. Ontario Regulation 308/95 is revoked.

## Schedule 1

### COLUMN 1

### COLUMN 2

#### *Durham Region—General Levy*

Oshawa C	8.25
Ajax T	15.25
Clarington T	2.30
Pickering T	14.37
Whitby T	3.68
Brock Tp	5.64
Scugog Tp	2.25
Uxbridge Tp	2.25

#### *Hamilton-Wentworth Region—General Levy*

Hamilton C	5.51
Stoney Creek C	6.45
Ancaster T	2.95
Dundas T	3.65
Flamborough T	3.24
Glanbrook Tp	3.61



*Hamilton-Wentworth Region—Library Levy*

Stoney Creek C	6.45
Ancaster T	2.95
Flamborough T	3.24
Glanbrook Tp	3.61

*York Region—General Levy*

Vaughan C	13.60
Aurora T	12.83
Markham T	13.05
Newmarket T	12.15
Richmond Hill T	12.23
Whitchurch-Stouffville T	10.42
East Gwillimbury T	9.52
Georgina T	10.66
King Tp	10.20

*Frontenac County—General Levy*

Barrie Tp	1.83
Bedford Tp	1.97
Clarendon & Miller Tp	1.83
Hinchinbrooke Tp	2.45
Howe Island Tp	1.89
Kennebec Tp	2.08
Kingston Tp	4.01
Loughborough Tp	2.71
Olden Tp	2.05
Oso Tp	2.57
Palmerston & N & S Canonto Tp	2.12
Pittsburgh Tp	2.97
Portland Tp	3.16
Storrington Tp	2.63
Wolfe Island Tp	3.18

*Frontenac County—Library Levy*

Barrie Tp	1.83
Clarendon & Miller Tp	1.83
Hinchinbrooke Tp	2.45
Howe Island Tp	1.89
Kennebec Tp	2.08
Kingston Tp	4.01
Loughborough Tp	2.71
Olden Tp	2.05
Oso Tp	2.57
Palmerston & N & S Canonto Tp	2.12
Pittsburgh Tp	2.97
Portland Tp	3.16
Storrington Tp	2.63
Wolfe Island Tp	3.18

*Frontenac County—Highways Levy*

Bedford Tp	1.97
Howe Island Tp	1.89
Kingston Tp	4.01
Loughborough Tp	2.71
Pittsburgh Tp	2.97
Portland Tp	3.16
Storrington Tp	2.63

*Grey County—General Levy*

Durham T	88.35
Hanover T	87.82
Meaford T	20.27
Thornbury T	19.21
Chatsworth V	22.67
Dundalk V	94.71
Flesherton V	21.87
Markdale V	24.05
Neustadt V	24.47
Shallow Lake V	23.02
Artemesia Tp	19.65
Bentinck Tp	27.14
Collingwood Tp	23.95
Derby Tp	23.79
Egremont Tp	22.49
Euphrasia Tp	22.84
Glenelg Tp	22.76
Holland Tp	21.79
Keppel Tp	20.48
Normanby Tp	88.40
Osprey Tp	22.60
Proton Tp	21.25
St Vincent Tp	21.19
Sarawak Tp	21.24
Sullivan Tp	21.70
Sydenham Tp	21.14

*Haliburton County—General Levy*

Anson Hindon & Minden Tp	0.82
Cardiff Tp	1.49
Dysart et al Tp	0.65
Glamorgan Tp	75.30
Lutterworth Tp	0.23
Monmouth Tp	0.44
Sherborne et al Tp	0.55
Snowdon Tp	0.25
Stanhope Tp	0.45
Bicroft Tp	43.62

*Lennox and Addington County—General Levy*

Napanee T	5.01
Bath V	3.75
Newburgh V	4.40
Adolphustown Tp	3.14
Amherst Island Tp	2.42
Camden East Tp	4.36
Denbigh et al Tp	2.63
Ernestown Tp	5.33
North Fredericksburgh Tp	3.90
South Fredericksburgh Tp	3.77
Kaladar et al Tp	3.07
Richmond Tp	4.91
Sheffield Tp	2.89

*Lennox and Addington County—Library Levy*

Napanee T	5.01
Bath V	3.75
Newburgh V	4.40
Adolphustown Tp	3.14
Amherst Island Tp	2.42
Camden East Tp	4.36
Ernestown Tp	5.33
North Fredericksburgh Tp	3.90
South Fredericksburgh Tp	3.77
Richmond Tp	4.91
Sheffield Tp	2.89

*Lennox and Addington County—County Roads Levy*

Napanee T	5.01
Bath V	3.75
Newburgh V	4.40
Adolphustown Tp	3.14
Camden East Tp	4.36
Ernestown Tp	5.33
North Fredericksburgh Tp	3.90
South Fredericksburgh Tp	3.77
Richmond Tp	4.91
Sheffield Tp	2.89

*Northumberland County—General Levy*

Campbellford T	2.62
Cobourg T	4.71
Port Hope T	3.54
Brighton T	2.63
Colborne V	2.50
Hastings V	2.45
Alnwick Tp	92.17
Brighton Tp	2.42
Cramahe Tp	2.30
Haldimand Tp	2.14
Hamilton Tp	2.15
Hope Tp	2.43
Murray Tp	2.57
Percy Tp	2.28
Seymour Tp	2.23

*Northumberland County—Library Levy*

Campbellford T	2.62
Alnwick Tp	92.17
Brighton Tp	2.42
Haldimand Tp	2.14
Hope Tp	2.43
Murray Tp	2.57
Percy Tp	2.28
Seymour Tp	2.23

*Peterborough County—General Levy*

Havelock V	3.56
Lakefield V	3.38
Norwood V	3.40
Millbrook V	1.95
Asphodel Tp	3.06
Belmont and Methuen Tp	1.72
Burleigh & Anstruther Tp	8.97
Chandos Tp	1.31
Douro Tp	2.93
Dummer Tp	2.40
Ennismore Tp	14.19
Galway and Cavendish Tp	34.16
Harvey Tp	46.74
North Monaghan Tp	2.14
Otonabee Tp	2.97
Smith Tp	2.66
Cavan Tp	57.24
South Monaghan Tp	1.94

*Peterborough County—County Roads Levy*

Havelock V	3.56
Lakefield V	3.38
Norwood V	3.40
Millbrook V	1.95
Asphodel Tp	3.06
Belmont and Methuen Tp	1.72
Burleigh & Anstruther Tp	8.97
Chandos Tp	1.31
Douro Tp	2.93
Dummer Tp	2.40
Ennismore Tp	14.19
North Monaghan Tp	2.14
Otonabee Tp	2.97
Smith Tp	2.66
Cavan Tp	57.24
South Monaghan Tp	1.94



*Simcoe County—General Levy*

Collingwood T	11.42
Midland T	6.66
Penetanguishene T	4.04
Wasaga Beach T	56.90
Innisfil T	1.84
Bradford-West Gwillimbury T	11.01
New Tecumseth T	9.33
Essa Tp	2.98
Tiny Tp	1.92
Adjala-Tosorontio Tp	6.83
Clearview Tp	13.31
Oro-Medonte Tp	40.20
Ramara Tp	2.17
Severn Tp	5.79
Springwater Tp	39.00
Tay Tp	44.02

*Stormont, Dundas and Glengarry County—Library Levy*

Alexandria T	5.83
Chesterville V	6.08
Finch V	5.07
Lancaster V	4.80
Maxville V	103.19
Morrisburg V	4.37
Winchester V	4.10
Charlottenburgh Tp	4.29
Cornwall Tp	5.26
Finch Tp	4.00
Kenyon Tp	4.54
Lancaster Tp	4.22
Lochiel Tp	71.78
Matilda Tp	5.04
Mountain Tp	3.77
Osnabruck Tp	5.42
Roxborough Tp	96.24
Williamsburgh Tp	5.70
Winchester Tp	72.56

*Stormont, Dundas and Glengarry County—General Levy*

Alexandria T	5.83
Chesterville V	6.08
Finch V	5.07
Iroquois V	7.30
Lancaster V	4.80
Maxville V	103.19
Morrisburg V	4.37
Winchester V	4.10
Charlottenburgh Tp	4.29
Cornwall Tp	5.26
Finch Tp	4.00
Kenyon Tp	4.54
Lancaster Tp	4.22
Lochiel Tp	71.78
Matilda Tp	5.04
Mountain Tp	3.77
Osnabruck Tp	5.42
Roxborough Tp	96.24
Williamsburgh Tp	5.70
Winchester Tp	72.56

*Victoria County—General Levy*

Lindsay T	3.57
Bobcaygeon V	13.08
Fenelon Falls V	1.89
Omeme V	2.55
Sturgeon Point V	1.45
Woodville V	12.65
Bexley Tp	0.66
Carden Tp	50.48
Dalton Tp	50.79
Eldon Tp	1.80
Emily Tp	2.22
Fenelon Tp	1.72
Laxton et al Tp	0.69
Mariposa Tp	1.88
Ops Tp	2.19
Somerville Tp	0.72
Verulam Tp	1.60
Manvers Tp	1.72

*Victoria County—Library Levy*

Bobcaygeon V	13.08
Fenelon Falls V	1.89
Omeme V	2.55
Woodville V	12.65
Bexley Tp	0.66
Carden Tp	50.48
Dalton Tp	50.79
Eldon Tp	1.80
Emily Tp	2.22
Fenelon Tp	1.72
Laxton et al Tp	0.69
Mariposa Tp	1.88
Ops Tp	2.19
Somerville Tp	0.72
Verulam Tp	1.60
Manvers Tp	1.72

*Victoria County—County Roads Levy*

Lindsay T	3.57
Bobcaygeon V	13.08
Fenelon Falls V	1.89
Omeme V	2.55
Sturgeon Point V	1.45
Woodville V	12.65
Eldon Tp	1.80
Emily Tp	2.22
Fenelon Tp	1.72
Mariposa Tp	1.88
Ops Tp	2.19
Verulam Tp	1.60
Manvers Tp	1.72

*Algoma District—Home for the Aged Board of Management*

Sault Ste Marie C	11.23
Elliot Lake C	34.71
Blind River T	82.70
Bruce Mines T	87.65
Thessalon T	92.93
Hilton Beach V	89.44
Iron Bridge V	91.31
Day and Bright Add'l Tp	82.41
Hilton Tp	88.69
Jocelyn Tp	86.13
Johnson Tp	94.89
Laird Tp	94.43
Macdonald et al Tp	62.94
Michipicoten Tp	24.89
Plummer Additional Tp	93.36
Prince Tp	15.31
St Joseph Tp	87.12
Tarbutt et al Tp	63.49
Thessalon Tp	96.87
Thompson Tp	86.53
Hornepayne Tp	88.26
The North Shore Tp	86.20
White River Tp	5.36
Shedden Tp	104.16
Dubreuilville Tp	68.59

*Algoma District—Social and Family Services Board*

Elliot Lake C	34.71
Blind River T	82.70
Bruce Mines T	87.65
Thessalon T	92.93
Hilton Beach V	89.44
Iron Bridge V	91.31
Day and Bright Add'l Tp	82.41
Hilton Tp	88.69
Jocelyn Tp	86.13
Johnson Tp	94.89
Laird Tp	94.43
Macdonald et al Tp	62.94
Michipicoten Tp	24.89
Plummer Additional Tp	93.36
Prince Tp	15.31
St Joseph Tp	87.12
Tarbutt et al Tp	63.49
Thessalon Tp	96.87
Thompson Tp	86.53
Hornepayne Tp	88.26
The North Shore Tp	86.20
White River Tp	5.36
Shedden Tp	104.16
Dubreuilville Tp	68.59

*Cochrane District Welfare Administration Board*

Cochrane T	22.34
Hearst T	23.93
Iroquois Falls T	29.90
Kapuskasing T	37.76
Smooth Rock Falls T	35.24
Black River-Matheson Tp	28.32
Moonbeam Tp	27.97
Glackmeyer Tp	18.95
Fauquier-Strickland Tp	44.95
Val Rita-Harty Tp	41.41
Mattice-Val Cote Tp	40.97
Opasatika Tp	65.17

*Cochrane District—Home for the Aged (Operating)*

Cochrane T	22.34
Hearst T	23.93
Iroquois Falls T	29.90
Kapuskasing T	37.76
Smooth Rock Falls T	35.24
Black River-Matheson Tp	28.32
Moonbeam Tp	27.97
Glackmeyer Tp	18.95
Fauquier-Strickland Tp	44.95
Val Rita-Harty Tp	41.41
Mattice-Val Cote Tp	40.97
Opasatika Tp	65.17



*Cochrane District—Home for the Aged (Capital)*

Cochrane T	22.34
Hearst T	23.93
Iroquois Falls T	29.90
Kapuskasing T	37.76
Smooth Rock Falls T	35.24
Black River-Matheson Tp	28.32
Moonbeam Tp	27.97
Glackmeyer Tp	18.95

*Kenora District—Home for the Aged*

Dryden T	6.32
Keewatin T	4.09
Kenora T	20.93
Sioux Lookout T	4.07
Jaffray & Melick T	3.89
Ignace Tp	8.85
Machin Tp	4.05
Red Lake Tp	4.70
Ear Falls Tp	7.99
Barclay Tp	5.96
Pickle Lake Tp	84.02
Golden Tp	6.12
Sioux Narrows Tp	2.45

*Manitoulin District—Homes for the Aged  
Administration Board (Operating)*

Gore Bay T	80.13
Little Current T	81.85
Assiginack Tp	78.40
Barrie Island Tp	84.85
Billings Tp	79.04
Burpee Tp	79.23
Carnarvon Tp	81.99
Cockburn Island Tp	92.19
Gordon Tp	79.40
Howland Tp	76.83
Rutherford & George Island Tp	78.63
Sandfield Tp	76.22
Tehkummah Tp	78.84

*Manitoulin District—Homes for the Aged  
Administration Board (Capital)*

Gore Bay T	80.13
Little Current T	81.85
Assiginack Tp	78.40
Barrie Island Tp	84.85
Billings Tp	79.04
Burpee Tp	79.23
Cockburn Island Tp	92.19
Gordon Tp	79.40
Howland Tp	76.83
Rutherford & George Island Tp	78.63
Sandfield Tp	76.22
Tehkummah Tp	78.84

*Nipissing District—Social Services Board*

Cache Bay T	16.68
Mattawa T	12.12
Sturgeon Falls T	23.98
Airy Tp	13.64
Bonfield Tp	12.45
Caldwell Tp	59.94
Calvin Tp	1.66
Chisholm Tp	77.28
East Ferris Tp	12.87
Field Tp	59.43
Mattawan Tp	0.89
Springer Tp	3.21
Temagami Tp	27.66
Papineau-Cameron Tp	85.45

*Nipissing District—East Nipissing District  
Home for the Aged (Operating)*

North Bay C	4.46
Mattawa T	12.12
Airy Tp	13.64
Bonfield Tp	12.45
Calvin Tp	1.66
Chisholm Tp	77.28
East Ferris Tp	12.87
Mattawan Tp	0.89
Papineau-Cameron Tp	85.45

*Nipissing District—East Nipissing District  
Home for the Aged (Capital)*

North Bay C	4.46
Mattawa T	12.12
Airy Tp	13.64
Bonfield Tp	12.45
Calvin Tp	1.66
Chisholm Tp	77.28
East Ferris Tp	12.87
Mattawan Tp	0.89
Papineau-Cameron Tp	85.45

*Nipissing District—Home for the Aged of  
West Nipissing*

Cache Bay T	16.68
Sturgeon Falls T	23.98
Caldwell Tp	59.94
Field Tp	59.43
Springer Tp	3.21
Temagami Tp	27.66

*Parry Sound District—Welfare Administration Board*

Kearney T	81.70
Parry Sound T	52.38
Powassan T	54.03
Trout Creek T	55.63
Burk's Falls V	57.99
Magnetawan V	51.59
Rosseau V	43.99
South River V	106.43
Sundridge V	92.09
Armour Tp	95.79
Carling Tp	45.08
Chapman Tp	47.89
Christie Tp	43.22
Foley Tp	42.61
Hagerman Tp	38.96
North Himsworth Tp	53.02
South Himsworth Tp	61.85
Humphrey Tp	83.58
Joly Tp	51.76
Machar Tp	83.63
McDougall Tp	46.59
McKellar Tp	41.85
McMurrich Tp	75.45
Nipissing Tp	52.69
Perry Tp	84.85
Ryerson Tp	49.69
Strong Tp	92.01
The Archipelago Tp	23.19

*Parry Sound District—East Home for the Aged*

Kearney T	81.70
Powassan T	54.03
Trout Creek T	55.63
Burk's Falls V	57.99
Magnetawan V	51.59
South River V	106.43
Sundridge V	92.09
Armour Tp	95.79
Chapman Tp	47.89
Christie Tp	43.22
Foley Tp	42.61
Hagerman Tp	38.96
North Himsworth Tp	53.02
South Himsworth Tp	61.85
Joly Tp	51.76
Machar Tp	83.63
Nipissing Tp	52.69
Perry Tp	84.85
Ryerson Tp	49.69
Strong Tp	92.01

*Parry Sound District—West Home for the Aged*

Parry Sound T	52.38
Rosseau V	43.99
Carling Tp	45.08
Christie Tp	43.22
Foley Tp	42.61
Hagerman Tp	38.96
Humphrey Tp	83.58
McDougall Tp	46.59
McKellar Tp	41.85
McMurrich Tp	75.45
The Archipelago Tp	23.19

*Rainy River District—Home for the Aged*

Fort Frances T	7.43
Rainy River T	4.74
Alberton Tp	2.65
Atikokan Tp	11.65
Atwood Tp	2.20
Blue Tp	98.86
Chapple Tp	2.46
Dilke Tp	2.94
Emo Tp	1.80
La Vallee Tp	1.06
McCrosson and Tovell Tp	16.96
Morley Tp	2.65
Morson Tp	14.97
Worthington Tp	5.76



*Rainy River District—Social Services Board*

## Schedule 2

Fort Frances T	7.43
Rainy River T	4.74
Alberton Tp	2.65
Atikokan Tp	11.65
Atwood Tp	2.20
Blue Tp	98.86
Chapple Tp	2.46
Dilke Tp	2.94
Emo Tp	1.80
La Vallee Tp	1.06
McCrosson and Tovell Tp	16.96
Morley Tp	2.65
Morson Tp	14.97
Worthington Tp	5.76

*Sudbury District—Social Services Administration Board*

Sudbury Region	14.98
Espanola T	6.63
Massey T	5.90
Webbwood T	4.13
Baldwin Tp	110.44
Casimir et al Tp	6.14
Chapleau Tp	19.27
Cosby et al Tp	1.12
Hagar Tp	2.06
Nairn Tp	6.89
Ratter & Dunnet Tp	1.67
The Spanish River Tp	4.33

*Thunder Bay District—Home for the Aged*

Geraldton T	8.05
Longlac T	6.69
Marathon T	26.82
Conmee Tp	2.83
Dorion Tp	5.27
Gillies Tp	2.91
Neebing Tp	2.38
Nipigon, Tp	4.65
O'Connor Tp	2.14
Oliver Tp	2.74
Paipoonge Tp	3.69
Schreiber Tp	5.53
Shuniah Tp	2.85
Terrace Bay Tp	26.39
Manitouwadge Tp	32.96
Beardmore Tp	25.58
Nakina Tp	8.20
Red Rock Tp	39.09

COLUMN 1	COLUMN 2
Municipality of Metropolitan Toronto—Conservation Authority Apportionment	0.4000
Regional Municipality of Durham	0.4609
Regional Municipality of Haldimand—Norfolk	0.4949
Regional Municipality of Halton	0.8500
Regional Municipality of Halton—Conservation Authority Apportionment	0.5076
Regional Municipality of Hamilton-Wentworth	0.4463
Regional Municipality of Niagara	0.4464
Regional Municipality of Ottawa-Carleton	0.4781
Regional Municipality of Peel—Conservation Authority Apportionment	0.5700
Regional Municipality of Waterloo	0.4883
Regional Municipality of York	0.6230
County of Brant	0.4014
County of Bruce	0.5841
County of Dufferin	0.5334
County of Elgin	0.4000
County of Essex	0.4000
County of Frontenac	0.4393
County of Grey	0.5370
County of Haliburton	0.5673
County of Hastings	0.4903
County of Huron	0.4246
County of Kent	0.4000
County of Lambton	0.5131
County of Lanark	0.4250
United Counties of Leeds and Grenville	0.4000
County of Lennox and Addington	0.5260
County of Middlesex	0.4000
County of Northumberland	0.4412
County of Oxford	0.4000
County of Perth	0.4000
County of Peterborough	0.5024
United Counties of Prescott and Russell	0.4428
County of Prince Edward	0.4122
County of Renfrew	0.4000
County of Simcoe	0.4638
United Counties of Stormont, Dundas and Glengarry	0.4000
County of Victoria	0.6132
County of Wellington	0.4738
Lakehead Region Conservation Authority	0.4000
Mattagami Region Conservation Authority	0.4000
Nickel District Conservation Authority	0.5889
North Bay-Mattawa Conservation Authority	0.4309
Sault Ste. Marie Region Conservation Authority	0.5082
Algoma District Social and Family Services Board	0.5340
Algoma District Home for the Aged Board of Management	0.4825
Cochrane District Welfare Administration Board	0.4000
Cochrane District Home for the Aged	0.4000
District of Kenora Home for the Aged	0.4000
District of Manitoulin Homes for the Aged Administration Board	0.6305
East Nipissing District Home for the Aged	0.4105
Home for the Aged of West Nipissing	0.4389
Nipissing District Social Services Board	0.4435
District of Parry Sound (East) Home for the Aged	0.8500
District of Parry Sound (West) Home for the Aged	0.8500
District of Parry Sound Welfare Administration Board	0.8500
District of Rainy River Home for the Aged	0.4000
District of Rainy River Social Services Board	0.4000
District of Sudbury Social Services Administration Board	0.5890
District of Thunder Bay Home for the Aged	0.4000

## Schedule 3

## Hamilton-Wentworth Region

COLUMN 1	COLUMN 2		
<i>Northumberland County</i>		Hamilton C	5.51
Campbellford T	31,583,226	Stoney Creek C	6.45
<i>Simcoe County</i>		Ancaster T	2.95
Springwater Tp	35,901,001	Dundas T	3.65
Tay Tp	25,279,602	Flamborough T	3.24
<i>Stormont, Dundas &amp; Glengarry County</i>		Glanbrook Tp	3.61
Maxville V	1,098,033	<i>Niagara Region</i>	
Roxborough Tp	3,773,236	Niagara Falls C	5.29
<i>Cochrane District</i>		Port Colborne C	5.25
Opasatika Tp	243,515	St Catharines C	4.60
<i>Parry Sound District</i>		Welland C	5.72
South River V	1,960,021	Thorold C	5.77
<i>Sudbury District</i>		Fort Erie T	4.52
Baldwin Tp	752,883	Grimsby T	3.96
		Lincoln T	4.04
		Niagara-on-the-Lake T	2.89
		Pelham T	3.93
		Wainfleet Tp	3.81
		West Lincoln Tp	4.31

## Ottawa-Carleton Region

## Schedule 4

COLUMN 1	COLUMN 2		
<i>Metropolitan Toronto</i>		Ottawa C	5.36
Toronto C	4.26	Vanier C	5.36
Etobicoke C	4.37	Kanata C	5.36
Scarborough C	4.11	Nepean C	5.36
North York C	4.23	Gloucester C	5.36
York C	3.91	Rockcliffe Park V	5.36
East York B	4.04	Cumberland Tp	5.36
<i>Durham Region</i>		Goulbourn Tp	5.36
Oshawa C	8.25	Osgoode Tp	5.36
Ajax T	15.25	Rideau Tp	5.36
Clarington T	2.30	West Carleton Tp	5.36
Pickering T	14.37	<i>Peel Region</i>	
Whitby T	3.68	Brampton C	16.62
Brock Tp	5.64	Mississauga C	17.68
Scugog Tp	2.25	Caledon T	14.97
Uxbridge Tp	2.25	<i>Sudbury Region</i>	
<i>Haldimand-Norfolk Region</i>		Sudbury C	14.98
Nanticoke C	5.34	Capreol T	14.98
Dunnville T	5.34	Nickel Centre T	14.98
Haldimand T	5.34	Onaping Falls T	14.98
Simcoe T	5.34	Rayside - Balfour T	14.98
Delhi Tp	5.34	Valley East T	14.98
Norfolk Tp	5.34	Walden T	14.98
<i>Halton Region</i>		<i>Waterloo Region</i>	
Burlington C	4.75	Cambridge C	6.41
Halton Hills T	3.95	Kitchener C	6.41
Milton T	3.60	Waterloo C	6.41
Oakville T	4.36	North Dumfries Tp	6.41
		Wellesley Tp	6.41
		Wilmot Tp	6.41
		Woolwich Tp	6.41



*York Region*

Vaughan C	13.60
Aurora T	12.83
Markham T	13.05
Newmarket T	12.15
Richmond Hill T	12.23
Whitchurch-Stouffville	10.42
East Gwillimbury T	9.52
Georgina T	10.66
King Tp	10.20

*Oxford County*

Woodstock C	5.00
Ingersoll T	5.50
Tillsonburg T	5.29
Blandford-Blenheim Tp	4.04
East Zorra-Tavistock Tp	3.66
Norwich Tp	4.07
South-West Oxford Tp	4.00
Zorra Tp	4.02

*Brant County*

Brantford C	5.99
Paris T	5.99
Brantford Tp	5.99
Burford Tp	5.99
South Dumfries Tp	5.99
Oakland Tp	5.99
Onondaga Tp	5.99

*Bruce County*

Chesley T	27.07
Kincardine T	27.07
Port Elgin T	27.07
Southampton T	27.07
Walkerton T	27.07
Warton T	27.07
Hepworth V	27.07
Lion's Head V	27.07
Lucknow V	27.07
Mildmay V	27.07
Paisley V	27.07
Ripley V	27.07
Tara V	27.07
Teeswater V	27.07
Tiverton V	27.07
Albemarle Tp	27.07
Amabel Tp	27.07
Arran Tp	27.07
Brant Tp	27.07
Bruce Tp	27.07
Carrick Tp	27.07
Culross Tp	27.07
Elderslie Tp	27.07
Greenock Tp	27.07
Huron Tp	27.07
Kincardine Tp	27.07
Kinloss Tp	27.07
Saugeen Tp	27.07

*Dufferin County*

Orangeville T	5.39
Shelburne T	5.39
Grand Valley V	5.39
Amaranth Tp	5.39
East Garafraxa Tp	5.39
East Luther Tp	5.39
Melancthon Tp	5.39
Mono Tp	5.39
Mulmur Tp	5.39

*Elgin County*

St Thomas C	4.73
Aylmer T	4.73
Dutton V	4.73
Port Burwell V	4.73
Rodney V	4.73
Springfield V	4.73
Vienna V	4.73
West Lorne V	4.73
Aldborough Tp	4.73
Bayham Tp	4.73
South Dorchester Tp	4.73
Dunwich Tp	4.73
Malahide Tp	4.73
Southwold Tp	4.73
Yarmouth Tp	4.73

*Essex County*

Windsor C	8.59
Amherstburg T	7.57
Belle River T	7.57
Essex T	7.57
Harrow T	7.57
Kingsville T	7.57
Leamington T	7.57
Tecumseh T	7.57
LaSalle T	7.57
St Clair Beach V	7.57
Anderdon Tp	7.57
Colchester North Tp	7.57
Colchester South Tp	7.57
Gosfield North Tp	7.57
Gosfield South Tp	7.57
Maidstone Tp	7.57
Malden Tp	7.57
Mersea Tp	7.57
Pelee Tp	7.57
Rochester Tp	7.57
Sandwich South Tp	7.57
Tilbury North Tp	7.57
Tilbury West Tp	7.57

*Frontenac County*

Kingston C	4.59
Barrie Tp	1.83
Bedford Tp	1.97
Clarendon & Miller Tp	1.83
Hinchinbrooke Tp	2.45
Kennebec Tp	2.08
Kingston Tp	4.01
Loughborough Tp	2.71
Olden Tp	2.05
Oso Tp	2.57
Palmerston & N & S Canonto Tp	2.12
Pittsburgh Tp	2.97
Portland Tp	3.16
Storrington Tp	2.63

*Grey County*

Durham T	88.35
Hanover T	87.82
Meaford T	20.27
Thornbury T	19.21
Chatsworth V	22.67
Dundalk V	94.71
Flesherton V	21.87
Markdale V	24.05
Neustadt V	24.47
Shallow Lake V	23.02
Artemesia Tp	19.65
Bentinck Tp	27.14
Collingwood Tp	23.95
Derby Tp	23.79
Egremont Tp	22.49
Euphrasia Tp	22.84
Glenelg Tp	22.76
Holland Tp	21.79
Keppel Tp	20.48
Normanby Tp	88.40
Osprey Tp	22.60
Proton Tp	21.25
St Vincent Tp	21.19
Sarawak Tp	21.24
Sullivan Tp	21.70
Sydenham Tp	21.14

*Haliburton County*

Anson Hindon & Minden Tp	0.82
Cardiff Tp	1.49
Dysart et al Tp	0.65
Glamorgan Tp	75.30
Lutterworth Tp	0.23
Monmouth Tp	0.44
Sherborne et al Tp	0.55
Snowdon Tp	0.25
Stanhope Tp	0.45
Bicroft Tp	43.62

*Hastings County*

Belleville C	10.64
Trenton C	4.18
Deseronto T	2.42
Deloro V	91.69
Frankford V	2.40
Madoc V	14.49
Marmora V	2.77
Stirling V	14.75
Tweed V	2.63
Elzevir & Grimsthorpe Tp	1.57
Faraday Tp	47.62
Hungerford Tp	1.81
Huntingdon Tp	2.04
Limerick Tp	0.86
Madoc Tp	2.38
Marmora and Lake Tp	49.42
Rawdon Tp	2.81
Sidney Tp	2.46
Thurlow Tp	2.81
Tudor and Cashel Tp	1.00
Tyendinaga Tp	3.30
Wollaston Tp	87.57

*Huron County*

Clinton T	81.54
Exeter T	81.54
Goderich T	81.54
Seaforth T	81.54
Wingham T	81.54
Bayfield V	81.54
Blyth V	81.54
Brussels V	81.54
Hensall V	81.54
Zurich V	81.54
Ashfield Tp	81.54
Colborne Tp	81.54
Goderich Tp	81.54
Grey Tp	81.54
Hay Tp	81.54
Howick Tp	81.54
Hullett Tp	81.54
McKillop Tp	81.54
Morris Tp	81.54
Stanley Tp	81.54
Stephen Tp	81.54
Tuckersmith Tp	81.54
Turnberry Tp	81.54
Usborne Tp	81.54
East Wawanosh Tp	81.54
West Wawanosh Tp	81.54



*Kent County*

Chatham C	7.40
Blenheim T	7.40
Bothwell T	7.40
Dresden T	7.40
Ridgetown T	7.40
Tilbury T	7.40
Wallaceburg T	7.40
Erieau V	7.40
Erie Beach V	7.40
Highgate V	7.40
Thamesville V	7.40
Wheatley V	7.40
Camden Tp	7.40
Chatham Tp	7.40
Dover Tp	7.40
Harwich Tp	7.40
Howard Tp	7.40
Orford Tp	7.40
Raleigh Tp	7.40
Romney Tp	7.40
Tilbury East Tp	7.40
Zone Tp	7.40

*Lambton County*

Sarnia C	7.33
Forest T	7.33
Petrolia T	7.33
Alvinston V	7.33
Arkona V	7.33
Grand Bend V	7.33
Oil Springs V	7.33
Point Edward V	7.33
Thedford V	7.33
Watford V	7.33
Wyoming V	7.33
Bosanquet Tp	7.33
Brooke Tp	7.33
Dawn Tp	7.33
Enniskillen Tp	7.33
Euphemia Tp	7.33
Moore Tp	7.33
Plympton Tp	7.33
Sombra Tp	7.33
Warwick Tp	7.33

*Lanark County*

Smiths Falls ST	3.37
Almonte T	3.37
Carleton Place T	3.37
Perth T	3.37
Lanark V	3.37
Bathurst Tp	3.37
Beckwith Tp	3.37
North Burgess Tp	3.37
Darling Tp	3.37
Drummond Tp	3.37
North Elmsley Tp	3.37
Lanark Tp	3.37
Montague Tp	3.37
Pakenham Tp	3.37
Ramsay Tp	3.37
South Sherbrooke Tp	3.37
Lavant et al Tp	3.37

*Leeds & Grenville County*

Brockville C	3.59
Gananoque ST	3.59
Kemptville T	3.59
Athens V	3.59
Merrickville V	3.59
Newboro V	3.59
Westport V	3.59
Augusta Tp	3.59
Bastard & S Burgess Tp	3.59
North Crosby Tp	3.59
South Crosby Tp	3.59
Edwardsburgh Tp	3.59
Elizabethtown Tp	3.59
South Elmsley Tp	3.59
Front of Escott Tp	3.59
South Gower Tp	3.59
Kitley Tp	3.59
Front of Leeds Tp	3.59
Rear of Leeds & Lans. Tp	3.59
Oxford (on Rideau) Tp	3.59
Wolford Tp	3.59
Front of Yonge Tp	3.59
Rear of Yonge & Esc. Tp	3.59

*Lennox and Addington County*

Napanee T	5.01
Bath V	3.75
Newburgh V	4.40
Adolphustown Tp	3.14
Camden East Tp	4.36
Denbigh et al Tp	2.63
Ernestown Tp	5.33
North Fredericksburgh Tp	3.90
South Fredericksburgh Tp	3.77
Kaladar et al Tp	3.07
Richmond Tp	4.91
Sheffield Tp	2.89

*Middlesex County*

London C	5.60
Parkhill T	4.49
Strathroy T	4.49
Ailsa Craig V	4.49
Glencoe V	4.49
Lucan V	4.49
Newbury V	4.49
Wardsville V	4.49
Adelaide Tp	4.49
Biddulph Tp	4.49
Caradoc Tp	4.49
Delaware Tp	4.49
North Dorchester Tp	4.49
Ekfrid Tp	4.49
Lobo Tp	4.49
London Tp	4.49
McGillivray Tp	4.49
Metcalf Tp	4.49
Mosa Tp	4.49
West Nissouri Tp	4.49
East Williams Tp	4.49
West Williams Tp	4.49

*Northumberland County*

Campbellford T	2.62
Cobourg T	4.71
Port Hope T	3.54
Brighton T	2.63
Colborne V	2.50
Hastings V	2.45
Alnwick Tp	92.17
Brighton Tp	2.42
Cramahe Tp	2.30
Haldimand Tp	2.14
Hamilton Tp	2.15
Hope Tp	2.43
Murray Tp	2.57
Percy Tp	2.28
Seymour Tp	2.23

*Perth County*

Stratford C	3.39
St Marys ST	5.60
Listowel T	5.60
Mitchell T	5.60
Milverton V	5.60
Blanshard Tp	5.60
Downie Tp	5.60
North Easthope Tp	5.60
South Easthope Tp	5.60
Ellice Tp	5.60
Elma Tp	5.60
Fullarton Tp	5.60
Hibbert Tp	5.60
Logan Tp	5.60
Mornington Tp	5.60
Wallace Tp	5.60

*Peterborough County*

Peterborough C	5.03
Havelock V	3.56
Lakefield V	3.38
Norwood V	3.40
Millbrook V	1.95
Asphodel Tp	3.06
Belmont and Methuen Tp	1.72
Burleigh & Anstruther Tp	8.97
Chandos Tp	1.31
Douro Tp	2.93
Dummer Tp	2.40
Ennismore Tp	14.19
Galway and Cavendish Tp	34.16
Harvey Tp	46.74
North Monaghan Tp	2.14
Otonabee Tp	2.97
Smith Tp	2.66
Cavan Tp	57.24
South Monaghan Tp	1.94

*Prescott and Russell County*

Casselman V	11.05
Plantagenet V	11.05
St Isidore V	11.05
Alfred Tp	11.05
Caledonia Tp	11.05
Cambridge Tp	11.05
Clarence Tp	11.05
North Plantagenet Tp	11.05
South Plantagenet Tp	11.05
Russell Tp	11.05

*Prince Edward County*

Picton T	94.64
Bloomfield V	94.64
Wellington V	94.64
Ameliasburgh Tp	94.64
Athol Tp	94.64
Hallowell Tp	94.64
Hillier Tp	94.64
North Marysburg Tp	94.64
South Marysburg Tp	94.64
Sophiasburgh Tp	94.64

*Renfrew County*

Bagot & Blythfield Tp	4.14
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*Simcoe County*

Barrie C	56.39
Collingwood T	11.42
Wasaga Beach T	56.90
Innisfil T	1.84
Bradford-West Gwillimbury	11.01
New Tecumseth T	9.33
Essa Tp	2.98
Adjala-Tosorontio Tp	6.83
Clearview Tp	13.31
Oro-Medonte Tp	40.20
Springwater Tp	39.00

*Stormont, Dundas and Glengarry County*

Alexandria T	5.83
Chesterville V	6.08
Finch V	5.07
Lancaster V	4.80
Maxville V	103.19
Winchester V	4.10
Charlottenburgh Tp	4.29
Cornwall Tp	5.26
Finch Tp	4.00
Kenyon Tp	4.54
Lancaster Tp	4.22
Lochiel Tp	71.78
Matilda Tp	5.04
Mountain Tp	3.77
Osnabruk Tp	5.42
Roxborough Tp	96.24
Williamsburgh Tp	5.70
Winchester Tp	72.56

*Victoria County*

Lindsay T	3.57
Bobcaygeon V	13.08
Fenelon Falls V	1.89
Omemee V	2.55
Sturgeon Point V	1.45
Woodville V	12.65
Bexley Tp	0.66
Eldon Tp	1.80
Emily Tp	2.22
Fenelon Tp	1.72
Laxton et al Tp	0.69
Mariposa Tp	1.88
Ops Tp	2.19
Somerville Tp	0.72
Verulam Tp	1.60
Manvers Tp	1.72



## Wellington County

## Schedule 5

Guelph C	13.15
Fergus T	5.41
Harriston T	5.41
Mount Forest T	5.41
Palmerston T	5.41
Arthur V	5.41
Clifford V	5.41
Drayton V	5.41
Elora V	5.41
Erin V	5.41
Arthur Tp	5.41
Eramosa Tp	5.41
Erin Tp	5.41
West Garafraxa Tp	5.41
Guelph Tp	5.41
West Luther Tp	5.41
Maryborough Tp	5.41
Minto Tp	5.41
Nichol Tp	5.41
Peel Tp	5.41
Pilkington Tp	5.41
Puslinch Tp	5.41

## Algoma District

Sault Ste Marie C	11.23
Prince Tp	15.31

## Cochrane District

Timmins C	7.13
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## Nipissing District

North Bay C	4.46
Mattawa T	12.12
Calvin Tp	1.66
Chisholm Tp	77.28
East Ferris Tp	12.87
Mattawan Tp	0.89
Papineau-Cameron Tp	85.45

## Parry Sound District

North Himsforth Tp	53.02
South Himsforth Tp	61.85

## Sudbury District

Nairn Tp	6.89
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## Thunder Bay District

Thunder Bay C	4.76
Conmee Tp	2.83
Dorion Tp	5.27
Gillies Tp	2.91
Neebing Tp	2.38
O'Connor Tp	2.14
Oliver Tp	2.74
Paipoonge Tp	3.69
Shuniah Tp	2.85

## COLUMN 1

## COLUMN 2

## Hamilton-Wentworth Region—General Levy

Hamilton C	70.270
Stoney Creek C	11.531
Ancaster T	5.502
Dundas T	3.890
Flamborough T	6.720
Glanbrook Tp	2.086

## Hamilton-Wentworth Region—Library Levy

Stoney Creek C	44.575
Ancaster T	21.313
Flamborough T	26.030
Glanbrook Tp	8.082

51/96

**ONTARIO REGULATION 524/96**  
made under the  
**INCOME TAX ACT**

Made: December 4, 1996

Filed: December 6, 1996

Amending Reg. 646 of R.R.O. 1990  
(Amounts Deducted or Withheld by Employers)

Note: Regulation 646 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. (1) Paragraph 6 of subsection 3 (1) of Regulation 646 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

6. 58 per cent, if the payment of remuneration is made after December 31, 1993 and before July 1, 1996.

7. 54 per cent, if the payment of remuneration is made after June 30, 1996 and before January 1, 1997.

8. 49 per cent, if the payment of remuneration is made after December 31, 1996.

**(2) Paragraph 6 of subsection 3 (3) of the Regulation is revoked and the following substituted:**

6. 58 per cent, if the payment of remuneration is made after December 31, 1993 and before July 1, 1996.

7. 54 per cent, if the payment of remuneration is made after June 30, 1996 and before January 1, 1997.

8. 49 per cent, if the payment of remuneration is made after December 31, 1996.

**(3) Subsection 3 (4) of the Regulation is revoked and the following substituted:**

(4) For the purposes of subsections (3) and (7), the notional tax for the year referred to in subsection 102 (2) of the Federal Regulations

shall be deemed to be the amount that would be determined under paragraph 102 (2) (f) of the Federal Regulations if each of the amounts denoted as "F", "G" and "H" in the formula in that paragraph equalled nil.

**(4) Clause 3 (7) (a) of the Regulation is revoked and the following substituted:**

- (a) the amount deemed under subsection (4) to be the employee's notional tax for the year for the purposes of subsection (3), in the case of an employee referred to in subsection (3); or

**(5) Paragraph 9 of subsection 3 (8) of the Regulation is amended by inserting after "1993" in the second line "and before July 1, 1996".**

**(6) Paragraph 10 of subsection 3 (8) of the Regulation is amended by inserting after "1993" in the second line "and before July 1, 1996".**

**(7) Subsection 3 (8) of the Regulation is amended by adding the following paragraphs:**

11. In the case of a payment of remuneration made after June 30, 1996 and before January 1, 1997 from which an amount is required to be deducted or withheld under subsection (1), the aggregate of 20 per cent of the amount, if any, by which the notional provincial tax of the employee for the 1996 taxation year exceeds \$5,120 plus 16 per cent of the amount, if any, by which the notional provincial tax of the employee for that year exceeds \$7,270, divided by the maximum number of pay periods for that year.
12. In the case of a payment of remuneration made after June 30, 1996 and before January 1, 1997 from which an amount is required to be deducted or withheld under subsection (3), the aggregate of 20 per cent of the amount, if any, by which the notional provincial tax of the employee for the 1996 taxation year exceeds \$5,120 plus 16 per cent of the amount, if any, by which the notional provincial tax of the employee for that year exceeds \$7,270, multiplied by the ratio of the amount of the payment of remuneration to the amount of the employee's notional net remuneration for the year determined under paragraph 102 (2) (e) of the Federal Regulations.
13. In the case of a payment of remuneration made after December 31, 1996 from which an amount is required to be deducted or withheld under subsection (1), the aggregate of 20 per cent of the amount, if any, by which the notional provincial tax of the employee for the taxation year in which the payment of remuneration is made exceeds \$4,650 plus 24 per cent of the

amount, if any, by which the notional provincial tax of the employee for that year exceeds \$6,360, divided by the maximum number of pay periods for that year.

14. In the case of a payment of remuneration made after December 31, 1996 from which an amount is required to be deducted or withheld under subsection (3), the aggregate of 20 per cent of the amount, if any, by which the notional provincial tax of the employee for the taxation year in which the payment of remuneration is made exceeds \$4,650 plus 24 per cent of the amount, if any, by which the notional provincial tax of the employee for that year exceeds \$6,360, multiplied by the ratio of the amount of the payment of remuneration to the amount of the employee's notional net remuneration for the year determined under paragraph 102 (2) (e) of the Federal Regulations.

**(8) Subsection 3 (9) of the Regulation is amended by striking out "or" at the end of clause (b) and by striking out clause (c) and substituting the following:**

- (c) \$205 if the employee's taxation year ends after December 31, 1992 and before January 1, 1996; or
- (d) \$174 if the employee's taxation year ends after December 31, 1996.

**(9) Section 3 of the Regulation is amended by adding the following subsection:**

**(10) In the case of a payment of remuneration to an employee made after December 31, 1995 and before January 1, 1997, the following rules apply:**

1. If the payment of remuneration is made before July 1 in 1996, no amount shall be deducted or withheld from the payment if the notional provincial tax of the employee for his or her 1996 taxation year is equal to or less than \$205.
2. If the payment of remuneration is made after June 30 in 1996, no amount shall be deducted or withheld from the payment if the notional provincial tax of the employee for his or her 1996 taxation year is equal to or less than \$191.
2. (1) Except as provided in subsection (2), this Regulation shall be deemed to have come into force on July 1, 1996.

**(2) Subsections 1 (3) and (4) shall be deemed to have come into force on January 1, 1992.**



# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1996—12—28

## ONTARIO REGULATION 525/96 made under the DEAD ANIMAL DISPOSAL ACT

Made: December 4, 1996  
Filed: December 9, 1996

Amending Reg. 263 of R.R.O. 1990  
(General)

Note: Regulation 263 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Sections 1 to 6 of Regulation 263 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

### LICENCES

1. (1) No person shall transport dead animals except in a vehicle for which the Director has issued a marker.

(2) The Director shall issue a marker for each vehicle that complies with the Act and this Regulation, that is operated by the holder of a licence to engage in the business of a collector and for which a marker is applied.

2. (1) A marker expires with December 31 in its year of issue.

(2) A licence expires with December 31 in its year of issue.

3. (1) A person entitled to a marker is entitled to one free marker.

(2) The fee for each additional marker is \$1.

4. (1) The fee for a licence to engage in the business of a collector is \$10.

(2) The fee for a licence to engage in the business of an operator of a receiving plant or an operator of a rendering plant is \$50 if the licence begins before July 1 or \$25 if it begins on or after July 1.

(3) The fee for a licence to engage in the business of a broker is \$100 if the licence begins before July 1 or \$50 if it begins on or after July 1.

5. The Director may suspend, revoke or refuse to renew a licence if the licensee has ceased to carry on business as a collector, broker, operator of a receiving plant or operator of a rendering plant, as the case may be.

### DISPOSAL OF DEAD ANIMALS

6. (1) In addition to the methods set out in subsection 3 (1) of the Act, the owner of a dead animal may dispose of it within 48 hours after its death,

(a) by delivering it in a vehicle belonging to the owner to a laboratory for post mortem examination, investigation or loss adjustment; or

## RÈGLEMENT DE L'ONTARIO 525/96 pris en application de la LOI SUR LES CADAVRES D'ANIMAUX

pris le 4 décembre 1996  
déposé le 9 décembre 1996

modifiant le Règl. 263 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Le Règlement 263 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. Les articles 1 à 6 du Règlement 263 des Règlements refondus de l'Ontario de 1990 sont abrogés et remplacés par ce qui suit :

### PERMIS

1. (1) Nul ne doit transporter de cadavres d'animaux sauf dans un véhicule pour lequel le directeur a délivré une marque d'identification.

(2) Le directeur délivre une marque d'identification pour chaque véhicule qui est conforme à la Loi et au présent règlement, qui est conduit par le titulaire d'un permis autorisant à exercer les activités d'un ramasseur et pour lequel une marque d'identification est demandée.

2. (1) Les marques d'identification prennent fin le 31 décembre de l'année de leur délivrance.

(2) Les permis prennent fin le 31 décembre de l'année de leur délivrance.

3. (1) La personne qui a droit à une marque d'identification a le droit d'en recevoir une gratuitement.

(2) Les droits à verser pour chaque marque d'identification supplémentaire sont de 1 \$.

4. (1) Les droits à verser pour un permis autorisant à exercer les activités d'un ramasseur sont de 10 \$.

(2) Les droits à verser pour un permis autorisant à exercer les activités d'un exploitant d'usine d'équarrissage ou d'un exploitant de fonderie sont de 50 \$ si le permis prend effet avant le 1<sup>er</sup> juillet ou de 25 \$ si le permis prend effet le 1<sup>er</sup> juillet ou après cette date.

(3) Les droits à verser pour un permis autorisant à exercer les activités d'un courtier sont de 100 \$ si le permis prend effet avant le 1<sup>er</sup> juillet ou de 50 \$ si le permis prend effet le 1<sup>er</sup> juillet ou après cette date.

5. Le directeur peut suspendre, révoquer ou refuser de renouveler un permis si le titulaire du permis a cessé d'exercer les activités de ramasseur, de courtier, d'exploitant d'usine d'équarrissage ou d'exploitant de fonderie, selon le cas.

### DISPOSITION DES CADAVRES D'ANIMAUX

6. (1) Outre les méthodes énoncées au paragraphe 3 (1) de la Loi, le propriétaire d'un cadavre d'animal peut s'en défaire dans les 48 heures qui suivent la mort de l'animal :

a) soit en le livrant, dans un véhicule appartenant au propriétaire, à un laboratoire à des fins d'autopsie, d'enquête ou de règlement de sinistres;

(b) composting it on the farm in accordance with subsection (2).

(2) For purposes of composting, an animal must immediately be covered with at least 60 centimetres of sawdust or other biodegradable material that is high in carbon content.

**2. Subsection 8 (3) of the Regulation is amended by striking out "collector" and substituting "person".**

**3. Section 13 of the Regulation is amended striking out "or" at the end of clause (a), by adding "or" at the end of clause (b) and by adding the following clause:**

(c) food for human consumption to be stored at a receiving plant or rendering plant.

**4. Section 20 of the Regulation is revoked and the following substituted:**

**20. (1) The operator of a receiving plant or rendering plant shall,**

(a) cut all meat obtained from a dead animal into portions or mechanically process the animal into a meat and bone product;

(b) denature the meat and meat and bone product from a dead animal in portions not more than five kilograms by applying charcoal or another denaturant approved by the Director to the surface of the meat and meat and bone product in sufficient quantities that the application of more denaturant would not affect the colour of the surface; and

(c) package the meat and meat and bone product portions in containers or wrapping that is legibly marked "NOT FOR HUMAN CONSUMPTION" and with the plant number, in characters at least five centimetres in height on at least four sides or places.

(2) Every container or wrapping in which meat obtained from a dead animal is packaged shall have an exterior surface sufficiently absorbent so that the marking "NOT FOR HUMAN CONSUMPTION" will not become illegible during handling, storage or transportation.

(3) Subsection (1) does not apply to the storing, at a receiving plant or rendering plant, of meat obtained from a dead animal,

(a) where the plant's operator is a fur farmer and does not use the meat except,

(i) to manufacture the meat, with additives, into food for the operator's fur-bearing animals or for the fur-bearing animals of another fur farmer and the meat is manufactured by the next business day after the dead animal is delivered to the plant, or

(ii) to feed the meat to the operator's fur-bearing animals if it is fed by the next business day after the dead animal is delivered to the plant; or

(b) where, in the case of a rendering plant, the meat is sterilized by heat by the next business day after the dead animal is delivered to the plant.

(4) The operator of a receiving plant or rendering plant who stores meat obtained from a dead animal shall freeze the meat and maintain it at an internal temperature of not more than minus 18°C.

b) soit en en faisant du compost à la ferme conformément au paragraphe (2).

(2) Aux fins du compostage, un animal doit être immédiatement couvert de 60 centimètres ou plus de bran de scie ou d'une autre matière biodégradable à teneur élevée en carbone.

**2. Le paragraphe 8 (3) du Règlement est modifié par substitution de «Nul» à «Aucun ramasseur».**

**3. L'article 13 du Règlement est modifié par adjonction de «, selon le cas» après «permettre» et par adjonction de l'alinéa suivant :**

c) que la nourriture pour l'alimentation humaine soit entreposée dans une usine d'équarrissage ou un fondoir.

**4. L'article 20 du Règlement est abrogé et remplacé par ce qui suit :**

**20. (1) L'exploitant d'une usine d'équarrissage ou d'un fondoir doit :**

a) couper en portions toute la viande provenant d'un cadavre d'animal ou transformer celui-ci en un produit de viande et d'os au moyen d'un procédé mécanique;

b) dénaturer la viande et le produit de viande et d'os provenant d'un cadavre d'animal en portions d'au plus cinq kilogrammes par l'application d'une quantité suffisante de charbon ou d'un autre dénaturant approuvé par le directeur sur la surface de la viande et du produit de viande et d'os de façon que l'application d'une plus grande quantité de dénaturant n'altère pas davantage la couleur de la surface;

c) emballer les portions de viande et le produit de viande et d'os dans des récipients ou emballages sur lesquels figurent de façon lisible l'inscription «NOT FOR HUMAN CONSUMPTION» et le numéro de l'usine d'équarrissage ou du fondoir, en caractères d'au moins cinq centimètres de haut sur quatre côtés ou à quatre endroits au moins.

(2) Tous les récipients ou emballages dans lesquels la viande provenant d'un cadavre d'animal est emballée ont une surface extérieure suffisamment absorbante pour que l'inscription «NOT FOR HUMAN CONSUMPTION» ne devienne pas illisible pendant leur manutention, leur entreposage ou leur transport.

(3) Le paragraphe (1) ne s'applique pas à l'entreposage, dans une usine d'équarrissage ou un fondoir, de la viande provenant d'un cadavre d'animal, dans l'un ou l'autre des cas suivants :

a) lorsque l'exploitant de l'usine d'équarrissage ou du fondoir est un éleveur d'animaux à fourrure et qu'il n'utilise la viande que pour, selon le cas :

(i) la transformer, avec des additifs, en nourriture pour ses animaux à fourrure ou pour ceux d'un autre éleveur d'animaux à fourrure et que la viande est transformée avant le jour ouvrable qui suit la livraison du cadavre d'animal à l'usine d'équarrissage ou au fondoir,

(ii) donner la viande comme nourriture à ses animaux à fourrure si elle est donnée comme nourriture avant le jour ouvrable qui suit la livraison du cadavre d'animal à l'usine d'équarrissage ou au fondoir;

b) lorsque, dans le cas d'un fondoir, la viande est stérilisée au moyen de la chaleur avant le jour ouvrable qui suit la livraison du cadavre d'animal à l'usine d'équarrissage ou au fondoir.

(4) L'exploitant d'une usine d'équarrissage ou d'un fondoir qui entrepose de la viande provenant d'un cadavre d'animal congèle la viande et la maintient à une température interne n'excédant pas moins 18°C.



**5. Sections 22, 23, 24, 25 and 26 of the Regulation are revoked and the following substituted:**

**22. (1)** The operator of a receiving plant or rendering plant shall bone out or mechanically process every dead animal by the next business day after it is delivered to the plant unless,

- (a) the meat is to be sterilized by heat at a rendering plant; or
- (b) in respect of an animal weighing less than 75 kilograms, the meat is to be sold for animal food.

**(2)** Clause (1) (b) does not apply unless the operator has provided the name, address and telephone number of the potential purchaser to the Director and received the Director's prior approval of the sale.

**23.** A broker who resells meat or meat and bone product from a dead animal after altering its form in any way that reduces or eliminates the colour of the surface that resulted from the denaturing of the meat or meat and bone product in accordance with clause 20 (1) (b) shall,

- (a) further denature the meat or meat and bone product as required under clause 20 (1) (b); and
- (b) repackage the meat or meat and bone product as required under clause 20 (1) (c).

**24.** It is a condition of every licence that the licensee keeps the records required to be kept under section 14 of the Act in the form approved by the Ministry.

**25.** A collector shall keep the records in the vehicle in which the animal was transported.

**6. (1) Clause 28 (1) (a) of the Regulation is revoked and the following substituted:**

- (a) attach a tag to the dead animal or meat;

**(2) Clause 28 (6) (a) of the Regulation is revoked and the following substituted:**

- (a) remove the tag attached by the inspector; or

**7. Forms 1 to 13 to the Regulation are revoked.**

**5. Les articles 22, 23, 24, 25 et 26 du Règlement sont abrogés et remplacés par ce qui suit :**

**22. (1)** L'exploitant d'une usine d'équarrissage ou d'un fondoir désosse ou transforme au moyen d'un procédé mécanique les cadavres d'animaux au plus tard le prochain jour ouvrable qui suit leur livraison à l'usine d'équarrissage ou au fondoir, sauf si, selon le cas :

- a) la viande doit être stérilisée au moyen de la chaleur dans un fondoir;
- b) à l'égard d'un animal pesant moins de 75 kilogrammes, la viande doit être vendue comme nourriture pour les animaux.

**(2)** L'alinéa (1) b) ne s'applique pas sauf si l'exploitant a fourni au directeur le nom, l'adresse et le numéro de téléphone de l'acheteur éventuel et s'il a reçu l'approbation préalable du directeur concernant la vente.

**23.** Le courtier qui revend la viande ou un produit de viande et d'os provenant d'un cadavre d'animal après en avoir altéré la forme d'une façon qui fait pâlir ou qui élimine la couleur de la surface provenant de la dénaturation de la viande ou du produit de viande et d'os conformément à l'alinéa 20 (1) b) doit :

- a) faire subir une autre dénaturation à la viande ou au produit de viande et d'os comme l'exige l'alinéa 20 (1) b);
- b) remballer la viande ou le produit de viande et d'os comme l'exige l'alinéa 20 (1) c).

**24.** Tout permis est assorti d'une condition selon laquelle le titulaire du permis tient les registres, qui doivent être tenus aux termes de l'article 14 de la Loi, dans la forme approuvée par le ministère.

**25.** Le ramasseur garde les registres dans le véhicule dans lequel l'animal a été transporté.

**6. (1) L'alinéa 28 (1) a) du Règlement est abrogé et remplacé par ce qui suit :**

- a) y attache une étiquette;

**(2) L'alinéa 28 (6) a) du Règlement est abrogé et remplacé par ce qui suit :**

- a) enlever l'étiquette attachée par l'inspecteur;

**7. Les formules 1 à 13 du Règlement sont abrogées.**

52/96

## ONTARIO REGULATION 526/96 made under the LIQUOR LICENCE ACT

Made: December 4, 1996  
Filed: December 9, 1996

Amending Reg. 720 of R.R.O. 1990  
(Manufacturers' Licences)

**Note:** Since January 1, 1996, Regulation 720 of the Revised Regulations of Ontario, 1990 has been amended by Ontario Regulations 166/96, 232/96 and 393/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Subsection 17 (1) of Regulation 720 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**(1)** A manufacturer of beer who annually produces 100,000 or more hectolitres of beer shall pay the full basic fee determined under subsection 16 (2).

**2. Subsection 18 (2) of the Regulation is revoked and the following substituted:**

**(2)** The percentage shall be 66 per cent for beer shipped on or after June 15, 1993 and before April 1, 1997.

**3. Subsection 19 (2) of the Regulation is revoked and the following substituted:**

**(2)** The percentage shall be 78 per cent for beer shipped on or after June 15, 1993 and before April 1, 1997.

**4. Sections 18 and 19 of the Regulation are revoked and the following substituted:**

**18. (1)** A manufacturer of beer who annually produces less than 100,000 hectolitres of beer shall pay a percentage of the basic fee determined under subsection 16 (2).

**(2)** The percentage shall be,

- (a) 66 per cent for the first 25,000 hectolitres of beer shipped in Ontario on or after April 1, 1997;
- (b) 90 per cent for the next 50,000 hectolitres of beer shipped in Ontario on or after April 1, 1997;
- (c) 100 per cent for the next 24,999 hectolitres of beer shipped in Ontario on or after April 1, 1997.

(3) The fee shall be paid on the beer shipped in a month and is payable ten business days after the manufacturer's reporting date for the month, as designated by the Board or, if no reporting date is designated, ten business days after the end of the month.

(4) If a fee is not paid on or before the day it is due, the Board may require the manufacturer to pay the full basic fee determined under subsection 16 (2).

5. (1) Sections 2 and 3 come into force on December 15, 1996.

(2) Sections 1 and 4 come into force on April 1, 1997.

52/96

**ONTARIO REGULATION 527/96**  
made under the  
**PUBLIC TRANSPORTATION AND  
HIGHWAY IMPROVEMENT ACT**

Made: December 4, 1996  
Filed: December 9, 1996

Revoking Reg. 979 of R.R.O. 1990  
(Permits)

Note: Regulation 979 has not previously been amended.

1. Regulation 979 of the Revised Regulations of Ontario, 1990 is revoked.

AL PALLADINI  
*Minister of Transportation*

Dated at Toronto on December 4, 1996.

52/96

**ONTARIO REGULATION 528/96**  
made under the  
**FARM PRODUCTS MARKETING ACT**

Made: November 13, 1996  
Filed: December 12, 1996

Amending Reg. 402 of R.R.O. 1990  
(Chickens—Marketing)

Note: Regulation 402 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. The definitions of "local board" and "plan" in section 1 of Regulation 402 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

"local board" means Chicken Farmers of Ontario;

"plan" means the Ontario Chicken Plan;

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

JAMES WHEELER  
*Chair*

GLORIA MARCO BORYS  
*Secretary*

Dated at Guelph on November 13, 1996.

52/96

**ONTARIO REGULATION 529/96**  
made under the  
**ASSESSMENT ACT**

Made: December 11, 1996  
Filed: December 12, 1996

**SHOPPING CENTRES (TORONTO)**

1. (1) A realty assessment of \$10,524,729 shall be redistributed in 1997 among the shopping centres referred to in the Schedule to the Act and apportioned among the anchors in the affected shopping centres as follows:

1. Hudson's Bay Company	\$3,320,419.00
2. The T Eaton Company Limited	2,084,756.00
3. Sears Canada Inc.	1,255,589.00
4. Zellers Inc.	2,074,061.00
5. The A. & P. Group	365,762.00
6. Kmart Canada Limited	473,546.00
7. The Canadian Tire Group	446,843.00
8. The Loblaws Group	287,954.00
9. Wal-Mart Canada Inc.	157,265.00
10. The Oshawa Group Limited	58,534.00

(2) In this section,

- (a) the A. & P. Group includes the New Dominion Stores Inc., Great Atlantic & Pacific Tea Company Limited and Miracle Food Mart of Canada Limited;
- (b) the Loblaws Group includes Loblaws Limited, Loblaws Inc., 1045161 Ontario Limited, Combined Merchandisers Inc., 994731 Ontario Ltd., Fortino's Albion & Kipling Ltd. and Fortino's (Lawrence & Allen) Ltd; and
- (c) the Canadian Tire Group includes Reg Quinn Ltd., John Mills Limited and Selwyn P. Belsher Limited.

2. The amount determined under section 1 for each anchor shall be apportioned among all of the locations occupied by the anchor on the basis of the following formula:

$$A = \frac{B}{C} \times D$$

where,

A is the amount of the realty assessment to be added to the anchor's portion determined under subsection 14 (3) of the Act,



B is the individual amount of the anchor's realty assessment determined under subsection 14 (3) of the Act,

C is the total of the anchor's realty assessments determined under subsection 14 (3) of the Act in the affected shopping centres,

D is the amount set out under section 1 for each anchor.

3. (1) In lieu of the apportionment provided under subsection 14 (3) of the Act, the assessment of a tenant in an affected shopping centre, other than an anchor or a non-participating anchor, for the 1997 taxation year shall be calculated by multiplying the non-anchor factor specified in the Schedule for the shopping centre in which the tenant is located by the amount of the tenant's realty assessment determined under subsection 14 (3) of the Act.

(2) In lieu of the apportionment provided under subsection 14 (3) of the Act, the assessment of each anchor in an affected shopping centre for the 1997 taxation year shall be calculated by multiplying the anchor factor specified in the Schedule for the anchor in the shopping centre in which the anchor is located by the amount determined under subsection 14 (3) of the Act.

(3) In this section,

"a non-participating anchor" means Payless Drug Emporium Ltd., 853263 Ontario Limited, Sportmart Canada Inc., Sports Authority Canada Inc., Forzani Group Limited, 1167970 Ontario Inc., 1137532 Ontario Ltd. and Loeb Inc..

#### Schedule

Shopping Centre	Anchor Occupant	Anchor Factor	Non-Anchor Factor
City of Scarborough			
Eglinton Square	Hudson's Bay Company New Dominion Stores	1.4534908 1.1692978	0.8375103
Warden Woods			1.0000000
Golden Mile Supercentre	Zellers Inc. Loblaws Inc.	1.3963048 1.0772560	0.7955988
Parkway Mall	Kmart Canada Limited Miracle Food Mart	1.2907545 1.1692978	0.9283350
Scarborough Town Centre	Hudson's Bay Company The T Eaton Company Sears Canada Inc.	1.4534908 1.3961900 1.3982918	0.8549779
Cedarbrae Mall	Hudson's Bay Company 1045161 Ontario Limited	1.4534908 1.0772560	0.8799074
Morningside Mall	Wal-Mart Canada Inc. New Dominion Stores	1.0934941 1.1692978	0.9230769
Bridlewood Mall	Zellers Inc. Kmart Canada Limited New Dominion Stores The Oshawa Group	1.3963048 1.2907545 1.1692978 1.0815282	0.7407906
Agincourt Mall	Wal-Mart Canada Inc. Loblaws Ltd.	1.0934941 1.0772560	0.9423699
Woodside Square	Zellers Inc. New Dominion Stores	1.3963048 1.1692978	0.9115843
Malvern Centre	Zellers Inc. 994731 Ontario Ltd.	1.3963048 1.0772560	0.9027420
Borough of East York			
Shoppers World / Danforth Mall	Zellers Inc. New Dominion Stores	1.3963048 1.1692978	0.8444808
Thorncliffe Mall	Zellers Inc. Miracle Food Mart	1.3963048 1.1692978	0.8334705

City of North York			
Sheridan Mall	Zellers Inc.	1.3963048	0.9617761
Jane Finch Mall	Kmart Canada Limited The Oshawa Group	1.2907545 1.0815282	0.9056617
Finch West Mall	John Mills Limited	1.4789673	0.6763007
York Gate	Zellers Inc.	1.3963048	0.9168654
Lawrence Plaza			1.0000000
Lawrence Square	Zellers Inc. Fortino's Selwyn P. Belsher	1.3963048 1.0772560 1.4789673	0.9136642
Yorkdale	Hudson's Bay Company The T Eaton Company Sears Canada Inc.	1.4534908 1.3961900 1.3982918	0.8521568
Centerpoint	Hudson's Bay Company Zellers Inc. Loblaws Inc. Reg Quinn Limited	1.4534908 1.3963048 1.0772560 1.4789673	0.7942862
Don Mills Centre	The T Eaton Company Atlantic & Pacific	1.3961900 1.1692978	0.9231539
Fairview Mall	Hudson's Bay Company Sears Canada Inc. Loblaws Inc.	1.4534908 1.3982918 1.0772560	0.9420184
Bayview Village	Kmart Canada Limited Loblaws Inc.	1.2907545 1.0772560	0.9754260
Victoria Terrace	Loblaws Inc.	1.0772560	0.9894677
City of York			
Westside Mall	Zellers Inc. The Oshawa Group	1.3963048 1.0815282	0.6933947
City of Etobicoke			
Showway Gardens	Hudson's Bay Company The T Eaton Company	1.4534908 1.3961900	0.8917515
Queensway / Kipling Mall	Zellers Inc. The Oshawa Group	1.3963048 1.0815282	0.7670855
Honeydale Mall	Wal-Mart Canada Inc.	1.0934941	0.8800513
Cloverdale Mall	Hudson's Bay Company Zellers Inc. New Dominion Stores	1.4534908 1.3963048 1.1692978	0.8158874
Rexdale Plaza	The T Eaton Company Zellers Inc.	1.3961900 1.3963048	0.8320725
Shoppers World / Albion Mall	Kmart Canada Limited Fortino's	1.2907545 1.0772560	0.9242814
Woodbine Centre	Hudson's Bay Company Sears Canada Inc. Zellers Inc.	1.4534908 1.3982918 1.3963048	0.8614720

4. Ontario Regulation 489/95 is revoked.

5. This Regulation comes into force on December 1, 1996.

ERNIE EVES  
Minister of Finance

Dated at Toronto on December 11, 1996.



**ONTARIO REGULATION 530/96**  
made under the  
**INSURANCE ACT**

Made: December 11, 1996  
Filed: December 12, 1996

Amending Reg. 664 of R.R.O. 1990  
(Automobile Insurance)

**Note:** Since January 1, 1996, Regulation 664 has been amended by Ontario Regulations 399/96 and 464/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Regulation 664 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:**

**INSPECTION REQUIREMENTS**  
(Section 232.1 of the Act)

2. (1) This section applies only to an automobile that is used primarily as a private passenger conveyance and to which section 2 of the *Compulsory Automobile Insurance Act* applies.

(2) Despite subsection (1), this section does not apply to,

- (a) a commercial vehicle;
- (b) a public vehicle;
- (c) a motorcycle or motor assisted bicycle;
- (d) an off-road vehicle within the meaning of the *Off-Road Vehicles Act*;
- (e) a motor home, including any vehicle that is built on or as an integral part of a motor vehicle chassis and that is used for travel and recreational camping purposes, for commercial purposes or as a dwelling; or
- (f) a camper unit, including any vehicle constructed to provide temporary accommodation that is mounted on and is removable from an automobile and that is used for recreational purposes.

(3) Before issuing a policy in respect of an automobile, the insurer shall conduct a visual inspection of the automobile in accordance with this section.

(4) The inspection shall be conducted not later than 10 days after a contract of automobile insurance is entered into in respect of the automobile or the automobile is added to a contract of automobile insurance.

(5) Subsection (3) does not apply if another insurer conducted a visual inspection of the automobile in accordance with this section not earlier than 30 days before the policy is issued and the information recorded under subsection (8) and the photographs taken under subsection (9) are obtained and retained by the insurer that issues the policy.

(6) An inspection under this section shall be conducted at no cost to the owner or lessee of the automobile.

(7) The inspection shall be conducted at a place and time that is reasonably convenient to the owner or lessee of the automobile.

(8) At the time of the inspection, the insurer shall record the following information:

1. The vehicle identification number on the automobile's VIN plate.
  2. The vehicle identification number on the compliance label attached to the automobile under the *Motor Vehicle Safety Act* (Canada).
  3. The make, model and model year of the automobile.
  4. A description or list of any modifications made to the automobile or equipment added to the automobile after the first purchase of the automobile.
  5. A description or list of any unrepaired damage to the automobile.
  6. The name of the individual or organization that recorded the information required by this subsection and took the photographs required by subsection (9).
- (9) At the time of the inspection, the insurer shall take photographs of,
- (a) the front, rear and both sides of the automobile; and
  - (b) the vehicle identification number on the compliance label attached to the automobile under the *Motor Vehicle Safety Act* (Canada).
- (10) The insurer shall retain the information recorded under subsection (8) and the photographs taken under subsection (9).
- (11) On request, the insurer shall provide the owner or lessee of the automobile with copies of the information recorded under subsection (8).
- (12) Subject to subsection (13), this section does not apply if,
- (a) the policy of automobile insurance is being renewed;
  - (b) the insurer is issuing a policy that is being transferred from an affiliate of that insurer;
  - (c) more than 10 years have elapsed since the model year of the automobile;
  - (d) the automobile is being purchased or leased from a motor vehicle dealer registered under the *Motor Vehicle Dealers Act* and,
    - (i) the automobile is a new automobile or a demonstration automobile and the odometer reading is 12,000 kilometres or less,
    - (ii) the policy is being issued in conjunction with the purchase or lease, and
    - (iii) the owner or lessee has provided the insurer with a copy of the bill of sale or lease agreement that contains a complete description of the automobile, including options and accessories included in the purchase or lease;
  - (e) the owner or lessee of the automobile has been continuously insured under motor vehicle liability policies issued by the insurer or an affiliate of that insurer throughout,
    - (i) the preceding three years, if the policy is being issued before January 1, 1998,
    - (ii) the preceding four years, if the policy is being issued after December 31, 1997 and before January 1, 1999, or

- (iii) the preceding five years, if the policy is being issued on or after January 1, 1999;
- (f) the owner or lessee of the automobile has been continuously insured under motor vehicle liability policies issued through the same broker throughout the preceding five years and the insurer is satisfied, having regard to all the circumstances, that an inspection of that automobile would not be worthwhile;
- (g) the insurer is acquiring all the automobile insurance business of another insurer; or

- (h) an agent or broker is transferring all of his, her or its automobile insurance business with an insurer to one or more other insurers and the insurer issuing the policy is acquiring a significant portion of that business.

(13) If, because of subsection (12), no inspection of the automobile is required, the insurer shall make and retain a record of the reason why the inspection is not required.

2. This Regulation comes into force on January 1, 1997.

52/96

**ONTARIO REGULATION 531/96**  
made under the  
**COURTS OF JUSTICE ACT**

Made: November 21, 1996  
Approved: December 11, 1996  
Filed: December 12, 1996

Amending Reg. 187 of R.R.O. 1990  
(District of Algoma Civil Case Management Rules)

Note: Regulation 187 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Rule 18 of Regulation 187 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

**REVOCATION**

18. These rules are revoked on December 31, 1997.

52/96

**RÈGLEMENT DE L'ONTARIO 531/96**  
pris en application de la  
**LOI SUR LES TRIBUNAUX JUDICIAIRES**

pris le 21 novembre 1996  
approuvé le 11 décembre 1996  
déposé le 12 décembre 1996

modifiant le Règl. 187 des R.R.O. de 1990  
(Règles de gestion des causes civiles du district d'Algoma)

Remarque : Le Règlement 187 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. La règle 18 du Règlement 187 des Règlements refondus de l'Ontario de 1990 est abrogée et remplacée par ce qui suit :

**ABROGATION**

18. Les présentes règles sont abrogées le 31 décembre 1997.

**ONTARIO REGULATION 532/96**  
made under the  
**COURTS OF JUSTICE ACT**

Made: November 21, 1996  
Approved: December 11, 1996  
Filed: December 12, 1996

Amending Reg. 189 of R.R.O. 1990  
(Essex Civil Case Management Rules)

Note: Regulation 189 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1996.

1. Rule 17 of Regulation 189 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

**REVOCATION**

17. These rules are revoked on December 31, 1997.

52/96

**RÈGLEMENT DE L'ONTARIO 532/96**  
pris en application de la  
**LOI SUR LES TRIBUNAUX JUDICIAIRES**

pris le 21 novembre 1996  
approuvé le 11 décembre 1996  
déposé le 12 décembre 1996

modifiant le Règl. 189 des R.R.O. de 1990  
(Règles de gestion des causes civiles d'Essex)

Remarque : Le Règlement 189 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. La règle 17 du Règlement 189 des Règlements refondus de l'Ontario de 1990 est abrogée et remplacée par ce qui suit :

**ABROGATION**

17. Les présentes règles sont abrogées le 31 décembre 1997.



**ONTARIO REGULATION 533/96**  
made under the  
**COURTS OF JUSTICE ACT**

Made: November 21, 1996  
Approved: December 11, 1996  
Filed: December 12, 1996

Amending O. Reg. 703/91  
(Toronto Civil Case Management Rules)

**RÈGLEMENT DE L'ONTARIO 533/96**  
pris en application de la  
**LOI SUR LES TRIBUNAUX JUDICIAIRES**

pris le 21 novembre 1996  
approuvé le 11 décembre 1996  
déposé le 12 décembre 1996

modifiant le Règl. de l'Ont. 703/91  
(Règles de gestion des causes civiles de Toronto)

Note: Ontario Regulation 703/91 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

Remarque : Le Règlement de l'Ontario 703/91 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des Règlements qui figure dans les Lois de l'Ontario de 1995.

1. Subrule 6.02 (2) of Ontario Regulation 703/91 is revoked and the following substituted:

1. Le paragraphe 6.02 (2) du Règlement de l'Ontario 703/91 est abrogé et remplacé par ce qui suit :

(2) These rules are revoked on December 31, 1997.

(2) Les présentes règles sont abrogées le 31 décembre 1997.

52/96

**ONTARIO REGULATION 534/96**  
made under the  
**COURTS OF JUSTICE ACT**

Made: November 29, 1996  
Approved: December 11, 1996  
Filed: December 12, 1996

Amending O. Reg. 704/91  
(Toronto Family Case Management Rules)

**RÈGLEMENT DE L'ONTARIO 534/96**  
pris en application de la  
**LOI SUR LES TRIBUNAUX JUDICIAIRES**

pris le 29 novembre 1996  
approuvé le 11 décembre 1996  
déposé le 12 décembre 1996

modifiant le Règl. de l'Ont. 704/91  
(Règles de gestion des causes en droit de la famille de Toronto)

Note: Ontario Regulation 704/91 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

Remarque : Le Règlement de l'Ontario 704/91 n'a pas été modifié en 1996. Pour les modifications antérieures, voir la Table des Règlements qui figure dans les Lois de l'Ontario de 1995.

1. Rule 6.02 of Ontario Regulation 704/91 is revoked and the following substituted:

1. La règle 6.02 du Règlement de l'Ontario 704/91 est abrogée et remplacée par ce qui suit :

6.02 These rules are revoked on December 31, 1997.

6.02 Les présentes règles sont abrogées le 31 décembre 1997.

52/96

**ONTARIO REGULATION 535/96**  
made under the  
**COURTS OF JUSTICE ACT**

Made: December 11, 1996  
Filed: December 12, 1996

**CASE MANAGEMENT MASTERS—  
QUALIFICATIONS**

1. 10 years is prescribed, for the purposes of subsection 86.1 (2) of the Act, as the period of time for which a person must have been a member of the bar of a province or territory or a judge in order to be appointed as a case management master.

52/96

**ONTARIO REGULATION 536/96**  
made under the  
**COURTS OF JUSTICE ACT**

Made: November 21, 1996  
Approved: December 11, 1996  
Filed: December 12, 1996

Amending Reg. 194 of R.R.O. 1990  
(Rules of Civil Procedure)

Note: Since January 1, 1996, Regulation 194 has been amended by Ontario Regulations 60/96, 61/96, 175/96, 332/96 and 333/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Subrule 15.04 (6) of Regulation 194 of the Revised Regulations of Ontario, 1990 is amended by striking out the portion before clause (a) and substituting the following:**

(6) A client that is a corporation shall, within 30 days after being served with the order removing the solicitor from the record,

**2. Clause 16.02 (1) (f) of the Regulation is revoked and the following substituted:**

**Crown in Right of Canada**

(f) on Her Majesty the Queen in right of Canada, in accordance with subsection 23 (2) of the *Crown Liability and Proceedings Act* (Canada);

**3. (1) Clause 16.05 (1) (d) of the Regulation is revoked and the following substituted:**

(d) by faxing a copy to the solicitor's office in accordance with subrules (3), (3.1) and (3.2) but, where service is made under this clause between 5 p.m. and midnight, it shall be deemed to have been made on the following day; or

**(2) Subrules 16.05 (3), (3.1) and (3.2) of the Regulation are revoked and the following substituted:**

(3) A document that is served by fax shall include a cover page indicating,

- (a) the sender's name, address and telephone number;
- (b) the name of the solicitor to be served;
- (c) the date and time of transmission;
- (d) the total number of pages transmitted, including the cover page;
- (e) the fax number of the sender; and
- (f) the name and telephone number of a person to contact in the event of transmission problems.

**Fax of Certain Documents**

(3.1) A document of 16 pages or more inclusive of the cover page and the backsheet may be served by fax only between 5 p.m. and 8 a.m. the following day, unless the party to be served gives prior consent.

(3.2) A motion record, application record, trial record, appeal book or book of authorities may not be served by fax at any time unless the party to be served gives prior consent.

**RÈGLEMENT DE L'ONTARIO 536/96**  
pris en application de la  
**LOI SUR LES TRIBUNAUX JUDICIAIRES**

pris le 21 novembre 1996  
approuvé le 11 décembre 1996  
déposé le 12 décembre 1996

modifiant le Règl. 194 des R.R.O. de 1990  
(Règles de procédure civile)

Remarque : Depuis le 1<sup>er</sup> janvier 1996, le Règlement 194 a été modifié par les Règlements de l'Ontario 60/96, 61/96, 175/96, 332/96 et 333/96. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

**1. Le paragraphe 15.04 (6) du Règlement 194 des Règlements fondus de l'Ontario de 1990 est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :**

(6) Au plus tard 30 jours après que l'ordonnance lui a été signifiée, le client qui est une personne morale :

**2. L'alinéa 16.02 (1) f) du Règlement est abrogé et remplacé par ce qui suit :**

**Couronne du chef du Canada**

f) s'il s'agit de Sa Majesté la Reine du chef du Canada, conformément au paragraphe 23 (2) de la *Loi sur la responsabilité civile de l'État et le contentieux administratif* (Canada);

**3. (1) L'alinéa 16.05 (1) d) du Règlement est abrogé et remplacé par ce qui suit :**

(d) en télécopiant le document à son bureau conformément aux paragraphes (3), (3.1) et (3.2); toutefois, lorsque la signification est effectuée conformément au présent alinéa entre 17 h et minuit, elle est réputée effectuée le jour suivant;

**(2) Les paragraphes 16.05 (3), (3.1) et (3.2) du Règlement sont abrogés et remplacés par ce qui suit :**

(3) Le document qui est signifié par télécopie comprend une page de couverture qui indique :

- a) les nom, adresse et numéro de téléphone de l'expéditeur;
- b) le nom du procureur qui doit recevoir la signification;
- c) les date et heure de la transmission;
- d) le nombre total de pages transmises, y compris la page de couverture;
- e) le numéro de télécopieur de l'expéditeur;
- f) les nom et numéro de téléphone d'une personne à qui le destinataire pourra s'adresser en cas de difficultés de transmission.

**Télécopie de certains documents**

(3.1) Le document de 16 pages ou plus y compris la page de couverture et la feuille arrière ne peut être signifié par télécopie qu'entre 17 h et 8 h, sauf si la partie à qui il est destiné y consent au préalable.

(3.2) Le dossier de motion, le dossier de requête, le dossier d'instruction, le cahier d'appel ou le dossier de doctrine et de jurisprudence ne peut pas être signifié par télécopie, sauf si la partie à qui il est destiné y consent au préalable.



**4. Rule 53.07 of the Regulation is revoked and the following substituted:**

### **CALLING ADVERSE PARTY AS WITNESS**

#### ***Persons to Whom Rule Applies***

**53.07** (1) Subrules (2) to (7) apply in respect of the following persons:

1. An adverse party.
2. An officer, director, employee or sole proprietor of an adverse party.
3. A partner of a partnership that is an adverse party.

#### ***Securing Attendance***

(2) A party may secure the attendance of a person referred to in subrule (1) as a witness at a trial,

- (a) by serving the person with a summons to witness, or by serving on the adverse party or the solicitor for the adverse party, at least 10 days before the commencement of the trial, a notice of intention to call the person as a witness; and
- (b) by paying or tendering attendance money calculated in accordance with Tariff A at the same time.

(3) If a person referred to in subrule (1) is in attendance at the trial, it is unnecessary to serve the person with a summons or to pay attendance money to call the person as a witness.

#### ***When Adverse Party may be Called***

(4) A party may call a person referred to in subrule (1) as a witness unless,

- (a) the person has already testified; or
- (b) the adverse party or the adverse's party counsel undertakes to call the person as a witness.

#### ***Cross-examination***

(5) A person referred to in subrule (1) may be cross-examined by the party who called him or her as a witness and by any other party who is adverse in interest to that person.

#### ***Re-examination***

(6) After a cross-examination under subrule (5), the person may be re-examined by any party who is not entitled to cross-examine under that subrule.

#### ***Failure to testify***

(7) The court may grant judgment in favour of the party calling the witness, adjourn the trial or make such other order as is just where a person required to testify under this rule,

- (a) refuses or neglects to attend at the trial or to remain in attendance at the trial;
- (b) refuses to be sworn; or
- (c) refuses to answer any proper question put to him or her or to produce any document or other thing that he or she is required to produce.

**5. Rule 54.10 of the Regulation is revoked and the following substituted:**

**4. La règle 53.07 du Règlement est abrogée et remplacée par ce qui suit :**

### **APPEL À TÉMOIGNER D'UNE PARTIE OPPOSÉE**

#### ***Personnes à qui la règle s'applique***

**53.07** (1) Les paragraphes (2) à (7) s'appliquent aux personnes suivantes :

1. Une partie opposée.
2. Un dirigeant, un administrateur, un employé ou le propriétaire unique d'une partie opposée.
3. Un associé d'une société en nom collectif qui est une partie opposée.

#### ***Obtention de la présence de personnes au procès***

(2) Une partie peut obtenir la présence d'une personne visée au paragraphe (1) à titre de témoin au procès :

- a) d'une part, en lui signifiant une assignation de témoin ou en signifiant à la partie opposée ou à son procureur, au moins 10 jours avant le début du procès, un avis d'intention d'appeler la personne à témoigner;
- b) d'autre part, en versant ou en offrant en même temps l'indemnité de présence calculée conformément au tarif A.

(3) Si une personne visée au paragraphe (1) est présente au procès, il n'est pas nécessaire de lui signifier une assignation ni de verser l'indemnité de présence pour l'appeler à témoigner.

#### ***Quand la partie opposée peut être appelée***

(4) Une partie peut appeler à témoigner une personne visée au paragraphe (1), sauf :

- a) si la personne a déjà témoigné;
- b) si la partie opposée ou son avocat s'engage à appeler la personne à témoigner.

#### ***Contre-interrogatoire***

(5) Une personne visée au paragraphe (1) peut être contre-interrogée par la partie qui l'a appelée à témoigner et par toute autre partie qui est opposée à la personne.

#### ***Réinterrogatoire***

(6) Après avoir été contre-interrogée aux termes du paragraphe (5), la personne peut être réinterrogée par toute partie qui n'a pas le droit de contre-interroger aux termes de ce paragraphe.

#### ***Défaut de témoigner***

(7) Le tribunal peut accorder un jugement favorable à la partie qui a appelé une personne à témoigner, ajourner le procès ou rendre toute autre ordonnance juste si la personne tenue de témoigner aux termes de la présente règle :

- a) refuse ou omet de se présenter ou de demeurer au procès;
- b) refuse de prêter serment;
- c) refuse de répondre à toute question légitime ou de produire tout document ou objet qu'elle est tenue de produire.

**5. La règle 54.10 du Règlement est abrogée et remplacée par ce qui suit :**

## REFEREE UNABLE TO CONTINUE OR COMPLETE REFERENCE

**54.10** Where a referee is unable for any reason to continue or complete a reference,

- (a) the parties to the reference may by consent appoint a new referee; or
- (b) any party to the reference may make a motion to a judge for directions for continuation or completion of the reference.

**6. (1) Rule 60.08 of the Regulation is amended by adding the following subrule:**

### *Joint Debts Garnishable*

(1.1) Where a debt is payable to the debtor and to one or more co-owners, the greater of the debtor's ownership interest if known to the garnishee, or one-half of the indebtedness may be garnished.

**(2) Subrule 60.08 (15) of the Regulation is revoked and the following substituted:**

### *When Garnishee Must Serve Statement*

(15) A garnishee who wishes for any reason to dispute the garnishment or who pays to the sheriff less than the amount set out in the notice of garnishment because the debt is owed to the debtor and to one or more co-owners or for any other reason shall, within 10 days after service of the notice of garnishment, serve on the creditor and the debtor and file with the court a garnishee's statement (Form 60I) setting out the particulars.

### *Notice to Co-owner of the Debt*

(15.1) When a creditor is served with a garnishee's statement that indicates that the debt is owed to the debtor and to one or more co-owners, the creditor shall forthwith serve the co-owners with a notice to co-owner of the debt (Form 60I.1) and a copy of the garnishee's statement.

(15.2) The notice to co-owner of the debt and the copy of the garnishee's statement shall be served by personal service or an alternative to personal service under rule 16.03.

**(3) Subrule 60.08 (16) of the Regulation is amended,**

- (a) by inserting "co-owner of the debt" after "garnishee" in the first line; and
- (b) by inserting "any co-owner of the debt" after "the debtor" in the first and second lines of clause (b).

**(4) Rule 60.08 is amended by adding the following subrules:**

(16.1) A copy of a notice of motion for a garnishment hearing shall be served on the sheriff by ordinary mail, or by personal service or an alternative to personal service under rule 16.03.

### *Time for Motion*

(16.2) A person who has been served with a notice to co-owner is not entitled to dispute the enforcement of the creditor's order for the payment or recovery of money or a payment made in accordance with the *Creditor's Relief Act* unless the person moves for a garnishment hearing within 30 days after being served with the notice.

**(5) Subrule 60.08 (19) of the Regulation is amended,**

## POURSUITE OU CONCLUSION DU RENVOI

**54.10** Si, pour quelque raison que ce soit, l'arbitre est incapable de poursuivre ou de conclure un renvoi :

- a) ou bien les parties au renvoi peuvent nommer un nouvel arbitre par consentement;
- b) ou bien une partie au renvoi peut demander à un juge, par voie de motion, des directives relativement à la poursuite ou à la conclusion du renvoi.

**6. (1) La règle 60.08 du Règlement est modifiée par adjonction du paragraphe suivant :**

### *Saisissabilité des créances conjointes*

(1.1) Si une créance est exigible par le débiteur et par un ou plusieurs autres cotitulaires de celle-ci, la partie de la créance qui appartient au débiteur, si le tiers saisi la connaît, ou la moitié de la créance, si ce dernier montant est plus élevé, peut faire l'objet d'une saisie-arrêt.

**(2) Le paragraphe 60.08 (15) du Règlement est abrogé et remplacé par ce qui suit :**

### *Signification d'une déclaration par le tiers saisi*

(15) Le tiers saisi qui entend contester la saisie-arrêt ou qui verse au shérif un montant inférieur à celui indiqué dans l'avis de saisie-arrêt parce que la créance est exigible par le débiteur et par un ou plusieurs autres cotitulaires de celle-ci ou pour tout autre motif signifie au créancier et au débiteur et dépose auprès du tribunal une déclaration du tiers saisi (formule 60I) donnant les précisions nécessaires, dans les 10 jours de la signification de l'avis de saisie-arrêt.

### *Avis au cotitulaire de la créance*

(15.1) Le créancier qui reçoit signification d'une déclaration du tiers saisi indiquant que la créance est exigible par le débiteur et par un ou plusieurs autres cotitulaires de celle-ci signifie sans délai aux cotitulaires un avis au cotitulaire de la créance (formule 60I.1) et une copie de la déclaration du tiers saisi.

(15.2) L'avis au cotitulaire de la créance et la copie de la déclaration du tiers saisi sont signifiés par voie de signification à personne ou selon un autre mode de signification directe prévu à la règle 16.03.

**(3) Le paragraphe 60.08 (16) du Règlement est modifié :**

- a) par insertion de «, un cotitulaire de la créance» après «tiers saisi» à la deuxième ligne;
- b) par insertion de «, de tout autre cotitulaire de la créance» après «du débiteur» aux première et deuxième lignes de l'alinéa b).

**(4) La règle 60.08 est modifiée par adjonction des paragraphes suivants :**

(16.1) Une copie de l'avis d'une motion visant à obtenir une audience sur une saisie-arrêt est signifiée au shérif par courrier ordinaire, par voie de signification à personne ou selon un autre mode de signification directe prévu à la règle 16.03.

### *Délai de présentation d'une motion*

(16.2) La personne qui a reçu signification d'un avis au cotitulaire de la créance n'a pas le droit de contester l'exécution forcée de l'ordonnance du créancier exigeant le paiement ou le recouvrement d'une somme d'argent ou d'une ordonnance exigeant qu'un paiement soit effectué conformément à la *Loi sur le désintéressement des créanciers*, sauf si elle demande, par voie de motion, une audience sur la saisie-arrêt dans les 30 jours de la signification de l'avis.

**(5) Le paragraphe 60.08 (19) du Règlement est modifié :**



- (a) by striking out the heading to the subrule and substituting "Effect of Payment to Sheriff"; and
- (b) by inserting "and any co-owner of the debt" after debtor in the third line.

(6) Rule 60.08 of the Regulation is amended by adding the following subrules:

**Payment when Debt Jointly Owned**

(21) Where a payment of a debt owed to the debtor and one or more co-owners has been made to the sheriff, no notice of motion for a garnishment hearing is delivered and the time for doing so has expired, the creditor may file with the sheriff, within 30 days thereafter,

- (a) proof of service of the notice to co-owner; and
- (b) an affidavit stating that the creditor believes that no co-owner of the debt is a person under disability and the grounds for the belief.

(22) The affidavit required by subrule (21) may contain statements of the deponent's information and belief, if the source of the information and the fact of the belief are specified in the affidavit.

(23) Where the creditor does not file the material referred to in subrule (21), the sheriff shall return the money to the garnishee.

7. Rule 61.01 of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

**APPLICATION OF THE RULE**

61.01 Rules 61.02 to 61.16 apply to all appeals to an appellate court except as provided in clause 62.01 (1) (b), rule 62.02 or rule 71.03 and, with necessary modifications, to proceedings in an appellate court by way of,

8. Subclause 61.09 (3) (b) (i) of the Regulation is revoked and the following substituted:

- (i) in an appeal to the Court of Appeal, three copies, and where the appeal is to be heard by five judges, two additional copies, or

9. Clause 61.12 (1) (a) of the Regulation is revoked and the following substituted:

- (a) in an appeal to the Court of Appeal, three copies, and where the appeal is to be heard by five judges, two additional copies; or

10. Subrule 62.02 (1) of the Regulation is revoked and the following substituted:

**Leave to Appeal from Interlocutory Order of a Judge**

62.02 (1) Leave to appeal to the Divisional Court under clause 19 (1) (b) of the Act shall be obtained,

- (a) for motions properly made in Toronto, from a judge of the Divisional Court other than the judge who made the interlocutory order; and
- (b) for motions properly made outside Toronto, from a judge other than the judge who made the interlocutory order.

11. Form 16B of the Regulation is amended by striking out the heading "(Service on a solicitor by telephone transmission of

a) par substitution de «Effet du paiement au shérif» à l'intitulé du paragraphe;

b) par insertion de «et tout autre cotitulaire de la créance» après «le débiteur» à la deuxième ligne.

(6) La règle 60.08 du Règlement est modifiée par adjonction des paragraphes suivants :

**Paiement dans le cas d'une créance conjointe**

(21) Si le paiement d'une somme due au débiteur et à un ou plusieurs autres cotitulaires de la créance a été fait au shérif, qu'aucun avis de motion en vue d'obtenir une audience sur une saisie-arrêt n'a été remis et que le délai pour ce faire est expiré, le créancier peut, dans les 30 jours suivant le paiement, déposer auprès du shérif :

- a) d'une part, une preuve de la signification de l'avis au cotitulaire de la créance;
- b) d'autre part, un affidavit attestant que le créancier croit qu'aucun cotitulaire de la créance n'est incapable, ainsi que ses raisons de le croire.

(22) L'affidavit exigé au paragraphe (21) peut faire état des éléments que le déposant tient pour véridiques sur la foi de renseignements, pourvu que la source de ces renseignements et le fait qu'ils sont tenus pour véridiques soient indiqués.

(23) Si le créancier ne dépose pas les documents visés au paragraphe (21), le shérif rembourse le tiers saisi.

7. La règle 61.01 du Règlement est modifiée par substitution de ce qui suit au passage qui précède l'alinéa a) :

**CHAMP D'APPLICATION DE LA RÈGLE**

61.01 Les règles 61.02 à 61.16 s'appliquent à tous les appels interjetés devant un tribunal d'appel sous réserve de ce que prévoit l'alinéa 62.01 (1) b), la règle 62.02 ou la règle 71.03 et, avec les adaptations nécessaires, aux instances introduites devant un tribunal d'appel par voie :

8. Le sous-alinéa 61.09 (3) b) (i) du Règlement est abrogé et remplacé par ce qui suit :

- (i) trois copies, s'il s'agit d'un appel interjeté devant la Cour d'appel, et deux copies additionnelles si l'appel doit être entendu par cinq juges,

9. L'alinéa 61.12 (1) a) du Règlement est abrogé et remplacé par ce qui suit :

- a) trois copies, s'il s'agit d'un appel interjeté devant la Cour d'appel, et deux copies additionnelles si l'appel doit être entendu par cinq juges;

10. Le paragraphe 62.02 (1) du Règlement est abrogé et remplacé par ce qui suit :

**Autorisation d'interjeter appel de l'ordonnance interlocutoire d'un juge**

62.02 (1) L'autorisation d'interjeter appel devant la Cour divisionnaire en vertu de l'alinéa 19 (1) b) de la Loi s'obtient :

- a) d'un juge de la Cour divisionnaire autre que celui qui a rendu l'ordonnance interlocutoire, dans le cas des motions dûment présentées à Toronto;
- b) d'un juge autre que le juge qui a rendu l'ordonnance interlocutoire, dans le cas des motions dûment présentées à l'extérieur de Toronto.

11. La formule 16B du Règlement est modifiée par substitution de ce qui suit à l'intitulé «(Signification par transmission téléphonique

*facsimile*)” and the item after that heading and substituting the following:

*(Service on a solicitor by fax)*

1. I served *(identify party served)* with the *(identify documents served)* by sending a copy by fax to *(fax number)* on *(date)* to *(name of solicitor)*, the solicitor for the *(identify party)*.

12. Forms 60H and 60I of the Regulation are revoked and the following substituted:

*d'un fac-similé à un procureur)*» et au paragraphe qui suit cet intitulé :

*(Signification par télécopie à un procureur)*

1. J'ai signifié à *(nom de la partie)* les *(préciser les documents signifiés)* en les télécopiant au numéro *(numéro de télécopieur)* le *(date)* à *(nom du procureur)*, procureur qui représente *(désigner la partie)*.

12. Les formules 60H et 60I du Règlement sont abrogées et remplacées par ce qui suit :

#### Form 60H

*Courts of Justice Act*

#### NOTICE OF GARNISHMENT

		<i>(Court file no.)</i>
	<i>(Court)</i>	
B E T W E E N :	<i>(name)</i>	
	and	Creditor
<i>(Court seal)</i>	<i>(name)</i>	
	and	Debtor
	<i>(name)</i>	
		Garnishee

#### NOTICE OF GARNISHMENT

TO *(name and address of garnishee)*

A LEGAL PROCEEDING in this court between the creditor and the debtor has resulted in an order that the debtor pay a sum of money to the creditor. The creditor claims that you owe a debt to the debtor. A debt to the debtor includes both a debt payable to the debtor and a debt payable to the debtor and one or more co-owners. The creditor has had this notice of garnishment directed to you as garnishee in order to seize any debt that you owe or will owe to the debtor. Where the debt is payable to the debtor and to one or more co-owners, you must pay the greater of the debtor's ownership interest, if known to you, or one-half of the indebtedness.

*(Where appropriate, add: This notice of garnishment enforces an order for support.)*

YOU ARE REQUIRED TO PAY to the Sheriff of the *(name of county or district)*,

- (a) within 10 days after this notice is served on you, all debts now payable by you to the debtor; and
- (b) within 10 days after they become payable, all debts that become payable by you to the debtor within 6 years after this notice is served on you,



subject to the exemptions provided by section 7 of the *Wages Act*. The total amount of all your payments to the sheriff is not to exceed \$..... less \$10 for your costs of making each payment.

EACH PAYMENT MUST BE SENT with a copy of the attached garnishee's payment notice to the sheriff at the address shown below.

IF YOU DO NOT PAY THE TOTAL AMOUNT OF \$ ..... LESS \$10 FOR YOUR COSTS OF MAKING EACH PAYMENT WITHIN 10 DAYS after this notice is served on you, because the debt is owed to the debtor and to one or more co-owners or for any other reason, you must within that time serve on the creditor and the debtor and file with the court a garnishee's statement in Form 60I attached to this notice.

IF YOU FAIL TO OBEY THIS NOTICE, THE COURT MAY MAKE AND ENFORCE AN ORDER AGAINST YOU for payment of the amount set out above and the costs of the creditor.

IF YOU MAKE PAYMENT TO ANYONE OTHER THAN THE SHERIFF, YOU MAY BE LIABLE TO PAY AGAIN.

TO THE CREDITOR, THE DEBTOR AND THE GARNISHEE

Any party may make a motion to the court to determine any matter in relation to this notice of garnishment.

Date ..... Issued by.....  
Local registrar  
Address of  
court office.....  
.....

Creditor's address      Debtor's address      Sheriff's address

.....

.....

telephone no.....

.....

(The top portion of the garnishee's payment notice is to be completed by the creditor before the notice of garnishment is issued. Where it is anticipated that more than one payment will be made by the garnishee, the creditor should provide extra copies of the payment notice.)

## GARNISHEE'S PAYMENT NOTICE

Make payment by cheque or money order payable to the Sheriff of the (*name of county or district*) and send it, along with a copy of this payment notice, to the (*address*).

Court ..... File no. ....  
Office at .....  
Creditor .....  
Debtor .....  
Garnishee .....

## TO BE COMPLETED BY GARNISHEE FOR EACH PAYMENT

Date of payment .....  
Amount enclosed \$.....



## Formule 60H

*Loi sur les tribunaux judiciaires*

## AVIS DE SAISIE-ARRÊT

(n° du dossier de la cour)

(tribunal)

E N T R E :

(nom)

créancier,

et

(sceau de la cour)

(nom)

débiteur,

et

(nom)

tiers saisi.

## AVIS DE SAISIE-ARRÊT

À (nom et adresse du tiers saisi)

UNE INSTANCE introduite devant le tribunal précité entre le créancier et le débiteur s'est terminée par une ordonnance portant que le débiteur paie une somme d'argent au créancier. Le créancier prétend que vous êtes redevable d'une dette au débiteur. Une dette envers le débiteur comprend à la fois une dette payable au débiteur et une dette payable au débiteur et à un ou plusieurs autres cotitulaires de la créance. Le créancier vous a fait adresser le présent avis de saisie-arrêt en votre qualité de tiers saisi en vue de saisir la dette dont vous êtes ou serez redevable au débiteur. Si la dette est payable au débiteur et à un ou plusieurs autres cotitulaires de la créance, vous devez payer la partie de la créance qui appartient au débiteur, si vous la connaissez, ou la moitié de la créance, si ce dernier montant est plus élevé.

(Si cela est pertinent, ajouter : Le présent avis de saisie-arrêt est délivré afin d'exécuter une ordonnance alimentaire.)

VOUS ÊTES REQUIS(E) DE PAYER au shérif du (nom du comté ou du district) :

- a) dans les 10 jours de la signification du présent avis, toutes les dettes dont vous êtes maintenant redevable au débiteur;
- b) dans les 10 jours de la date à laquelle elles deviennent exigibles, toutes les dettes dont vous deviendrez redevable au débiteur dans les 6 ans de la signification du présent avis,

sous réserve des exemptions prévues à l'article 7 de la Loi sur les salaires. La totalité des paiements que vous ferez au shérif ne doit pas dépasser ..... \$ moins 10 \$ pour vos frais relativement à chaque paiement.

CHAQUE PAIEMENT DOIT ÊTRE ENVOYÉ au shérif, à l'adresse indiquée ci-dessous, avec une copie de l'avis de paiement du tiers saisi ci-joint.

SI VOUS NE PAYEZ PAS LE MONTANT TOTAL DE ..... \$, MOINS 10 \$ POUR VOS FRAIS RELATIVEMENT À CHAQUE PAIEMENT, DANS LES 10 JOURS de la signification du présent avis, parce que la créance est exigible par le débiteur et par un ou plusieurs autres cotitulaires de celle-ci ou pour tout autre motif, vous devez, dans ce délai, signifier au créancier et au débiteur et déposer auprès du tribunal une déclaration du tiers saisi rédigée selon la formule 60I jointe au présent avis.

SI VOUS NE RESPECTEZ PAS LE PRÉSENT AVIS, LE TRIBUNAL PEUT RENDRE ET FAIRE EXÉCUTER CONTRE VOUS UNE ORDONNANCE de paiement du montant précisé ci-dessus et des dépens du créancier.

SI VOUS PAYEZ UNE PERSONNE QUI N'EST PAS LE SHÉRIF, VOUS POUVEZ ÊTRE TENU(E) DE PAYER DE NOUVEAU.

AU CRÉANCIER, AU DÉBITEUR ET AU TIERS SAISI

Une partie peut présenter une motion au tribunal en vue d'obtenir la décision d'une question relative au présent avis.



date : ..... délivré par : .....  
greffier local

adresse du  
greffe : .....  
.....

adresse du créancier	adresse du débiteur	adresse du shérif
.....	.....	.....
.....	.....	.....

n° de téléphone : .....

.....

*(Le créancier doit remplir la partie supérieure de l'avis de paiement du tiers saisi avant la délivrance de l'avis de saisie-arrêt. S'il est prévu que le tiers saisi fera plus d'un paiement, le créancier doit fournir des copies supplémentaires de l'avis de paiement.)*

#### AVIS DE PAIEMENT DU TIERS SAISI

Payez par chèque ou mandat-poste payable au shérif du (nom du comté ou du district) et envoyez-le, avec une copie de l'avis de paiement, à/au (adresse).

tribunal : ..... n° du dossier : .....  
greffe à/au : .....  
créancier : .....  
débiteur : .....  
tiers saisi : .....

#### À REMPLIR PAR LE TIERS SAISI LORS DE CHAQUE PAIEMENT

date du paiement : .....  
montant inclus : ..... \$

## Form 60I

Courts of Justice Act

## GARNISHEE'S STATEMENT

(The general heading on this form is to be completed by the creditor and the form is to be attached to the notice of garnishment to be served on the garnishee before the notice of garnishment is issued.)

(General heading as in Form 60H)

## GARNISHEE'S STATEMENT

1. I/We acknowledge that I/we owe or will owe the debtor or the debtor and one or more co-owners the sum of \$...., payable on (date) because (Give reasons why you owe the debtor or the debtor and one or more co-owners money. If you are making payment of less than the amount stated in line 2 of this paragraph because the debt is owed to the debtor and to one or more co-owners or for any other reason, give a full explanation of the reason. If you owe the debtor wages, state how often the debtor is paid. State the gross amount of the debtor's wages before any deductions and the net amount after all deductions and attach a copy of a pay slip.)

1.1 (If debt owed to debtor and one or more co-owners, check here ☐ and complete the following:)

Co-owner(s) of the Debt (name, address).....

2. (If you do not owe the debtor money, explain why. Give any other information that will explain your financial relationship with the debtor.)

3. (If you have been served with any other notice of garnishment or a writ of execution against the debtor, give particulars.)

Name of creditor	Location of Sheriff	Date of notice or writ	Date of service on you
------------------	---------------------	------------------------	------------------------



4. (If you have been served outside Ontario and you wish to object on the ground that service outside Ontario was improper, give particulars of your objection.)

Date .....	Signature of or for garnishee .....
	Name of garhishee .....
	Address .....
	.....
	.....
	Telephone number .....

## Formule 60I

*Loi sur les tribunaux judiciaires*

## DÉCLARATION DU TIERS SAISI

*(Le créancier remplit le titre de la présente formule et celle-ci doit être annexée à l'avis de saisie-arrêt qui doit être signifié au tiers saisi avant la délivrance de l'avis.)*

*(titre identique à celui de la formule 60H)*

## DÉCLARATION DU TIERS SAISI

1. Je/Nous reconnais(sons) que je/nous suis (sommés) ou serai (serons) redevable(s) au débiteur ou au débiteur et à un ou plusieurs autres cotitulaires d'une créance de la somme de .....\$, exigible le (date), parce que (donnez les raisons pour lesquelles vous devez de l'argent au débiteur ou au débiteur et à un ou plusieurs autres cotitulaires de la créance. Si votre paiement est inférieur au montant précisé à la ligne 4 de la présente disposition parce que la créance est exigible par le débiteur et par un ou plusieurs autres cotitulaires de celle-ci ou pour tout autre motif, donnez-en toutes les raisons. Si vous devez un salaire au débiteur, précisez la fréquence des paiements faits au débiteur. Précisez le salaire brut du débiteur avant les retenues ainsi que le montant net de toutes les retenues et annexez une copie d'un bordereau de paie.)



1.1 (Si la créance est exigible par le débiteur et par un ou plusieurs autres cotitulaires de celle-ci, cochez ici ☐ et donnez le renseignement demandé ci-dessous :)

Cotitulaire(s) de la créance (nom, adresse) : .....

2. (Si vous ne devez aucune somme d'argent au débiteur, expliquez pourquoi. Donnez tous les renseignements nécessaires pour expliquer vos rapports financiers avec le débiteur.)

3. (Si vous avez reçu signification d'un autre avis de saisie-arrêt ou d'un bref d'exécution forcée contre le débiteur, donnez-en les précisions.)

nom du	lieu où se	date de l'avis	date de la
créancier	trouve le	ou du bref	signification
	shérif		

4. (Si vous avez reçu la signification en dehors de l'Ontario et que vous désirez contester ce fait parce que cette signification était contraire aux règles, précisez votre objection.)

date: ..... signature du tiers  
saisi ou en son nom: .....  
nom du tiers saisi: .....  
adresse: .....  
.....  
numéro de téléphone: .....

## Form 60I.1

*Courts of Justice Act*

## NOTICE TO CO-OWNER OF THE DEBT

*(General heading as in Form 60H)*

To *(name and address of co-owner of the debt)*

A LEGAL PROCEEDING in this court between the creditor and the debtor has resulted in an order that the debtor pay a sum of money to the creditor. The creditor has given a notice of garnishment to *(name of garnishee)* claiming that the garnishee owes a debt to the debtor. A debt to the debtor includes both a debt payable to the debtor and a debt payable to the debtor and one or more other co-owners. The garnishee has indicated in the attached garnishee's statement that you are a co-owner. Under the notice of garnishment the garnishee has paid the greater of the debtor's ownership interest, as known to the garnishee, or one-half of the indebtedness to the sheriff.

IF YOU HAVE A CLAIM to the money being paid to the sheriff by the garnishee, you have 30 days from service of this notice to make a motion to the court for a garnishment hearing. If you fail to do so, you may not hereafter dispute the enforcement of the creditor's order for the payment or recovery of money under the Rules of Civil Procedure and the funds may be paid out in accordance with the *Creditor's Relief Act*.

Date.....



## Formule 60I.1

*Loi sur les tribunaux judiciaires*

## AVIS AU COTITULAIRE DE LA CRÉANCE

*(titre identique à celui de la formule 60H)*

À (nom et adresse du cotitulaire de la créance)

UNE INSTANCE introduite devant le tribunal précité entre le créancier et le débiteur s'est terminée par une ordonnance portant que le débiteur paie une somme d'argent au créancier. Le créancier a remis un avis de saisie-arrêt à (nom du tiers saisi) car il prétend que le tiers saisi est redevable d'une dette au débiteur. Une dette envers le débiteur comprend à la fois une dette payable au débiteur et une dette payable au débiteur et à un ou plusieurs autres cotitulaires de la créance. Le tiers saisi a indiqué dans la déclaration du tiers saisi ci-jointe que vous êtes cotitulaire de la créance. Le tiers saisi paie au shérif, aux termes de l'avis de saisie-arrêt, la partie de la créance qui appartient au débiteur, telle qu'elle est connue du tiers saisi, ou la moitié de la créance, si ce dernier montant est plus élevé.

SI VOUS AVEZ UN DROIT sur la somme d'argent que le tiers saisi paie au shérif, vous avez 30 jours à compter de la signification du présent avis pour demander au tribunal, par voie de motion, une audience sur la saisie-arrêt. Si vous vous abstenez de ce faire, il ne vous sera plus possible de contester l'exécution forcée de l'ordonnance du créancier exigeant le paiement ou le recouvrement de la somme d'argent aux termes des Règles de procédure civile et les fonds pourront être versés conformément à la *Loi sur le désintéressement des créanciers*.

Date : .....

13. This Regulation comes into force on February 3, 1997.

13. Le présent règlement entre en vigueur le 3 février 1997.

**ONTARIO REGULATION 537/96**  
made under the  
**MUNICIPAL ACT**

Made: December 11, 1996  
Filed: December 13, 1996

Amending O. Reg. 46/94  
(Municipal and School Capital Facilities—  
Agreements and Tax Exemptions)

Note: Ontario Regulation 46/94 has not previously been amended.

**1. Section 5 of Ontario Regulation 46/94 is amended by striking out "Despite sections 2, 3 and 4" in the first line.**

**2. Section 6 of the Regulation is revoked and the following substituted:**

6. (1) The council of a municipality may enter into an agreement respecting municipal capital facilities described in paragraphs 16 and 17 of section 2 only if,

(a) the municipality or another municipality or a public sector entity described in subsection (2) owns or agrees to purchase or will own on reversion of the property, the municipal capital facilities, including the land where they are situate; and

(b) the council has declared by resolution that the municipal capital facilities are for the purposes of the municipality and are for public use.

(2) The following are public sector entities for the purposes of clause (1) (a):

1. The Crown.

2. A local board as defined in section 1 of the *Municipal Affairs Act*.

3. The board of governors of a college or applied arts and technology established under section 5 of the *Ministry of Colleges and Universities Act*.

4. A degree granting institution as authorized under section 3 of the *Degree Granting Act*.

**ONTARIO REGULATION 538/96**  
made under the  
**ONTARIO MUNICIPAL EMPLOYEES  
RETIREMENT SYSTEM ACT**

Made: December 11, 1996  
Filed: December 13, 1996

Amending Reg. 890 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 890 has been amended by Ontario Regulation 109/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Subsection 21 (1.4) of Regulation 890 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

(1.4) Despite subsection (1.1), the inflation adjustment for 1997 is 100 per cent of the inflation increase for that year.

**2. This Regulation comes into force on January 1, 1997.**

52/96

**ONTARIO REGULATION 539/96**  
made under the  
**CROP INSURANCE ACT**

Made: November 18, 1996  
Approved: December 12, 1996  
Filed: December 13, 1996

Amending Reg. 239 of R.R.O. 1990  
(Crop Insurance Plan—Plums)

Note: Regulation 239 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. The Table to subsection 12 (1) of the Schedule to Regulation 239 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

TABLE

Percentage Selected by Insured	Base Premium Rate
70	24.8%
75	27.0%
80	29.1%

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN  
Chair

MATT TULLOCH  
Secretary

Dated at Guelph on November 18, 1996.



**ONTARIO REGULATION 540/96**  
made under the  
**AMUSEMENT DEVICES ACT**

Made: December 11, 1996  
Filed: December 13, 1996

Amending Reg. 20 of R.R.O. 1990  
(General)

**RÈGLEMENT DE L'ONTARIO 540/96**  
pris en application de la  
**LOI SUR LES ATTRACTIONS**

pris le 11 décembre 1996  
déposé le 13 décembre 1996

modifiant le Règl. 20 des R.R.O. de 1990  
(Dispositions générales)

Note: Since January 1, 1996, Regulation 20 has been amended by Ontario Regulation 440/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

Remarque : Depuis le 1<sup>er</sup> janvier 1996, le Règlement 20 a été modifié par le Règlement de l'Ontario 440/96. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. The Schedule to Regulation 20 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

1. L'annexe du Règlement 20 des Règlements refondus de l'Ontario de 1990 est abrogée et remplacée par ce qui suit :

**Schedule**  
**FEES**

Item No.	Description	Fee \$
1.	On an application for a licence to carry on the business of operating an amusement device or for the renewal of the licence .....	150.00
2.	On an application for a permit to operate an amusement device or for the renewal of the permit .....	55.00
3.	For reviewing the submission of a technical dossier or amendments to it, i. under subsection 7 (2), A. for a class A1 or A2 amusement device or water slide ..... B. for a class B1 or B2 amusement device ..... C. for a class C1 or C2 amusement device or a go-kart ..... D. for a class D amusement device ..... ii. under subsection 7 (4), A. for a class A1, A2, B1 or B2 amusement device ..... B. for a class C1, C2, or D amusement device or go-kart ..... iii. under subsection 7 (3), 50 per cent of the fee required under sub-item i.	440.00 320.00 220.00 120.00 220.00 110.00

**Annexe**  
**DROITS**

Numéro	Description	Droits \$
1.	Demande de licence d'exploitation d'une attraction ou de renouvellement d'une telle licence .....	150,00
2.	Demande de permis autorisant le fonctionnement d'une attraction ou de renouvellement d'un tel permis .....	55,00
3.	Examen d'un dossier technique, ou des modifications qui y sont apportées, et visé au : i. paragraphe 7 (2) : A. pour une attraction de catégorie A1 ou A2, ou pour une glissière aquatique ..... B. pour une attraction de catégorie B1 ou B2 ..... C. pour une attraction de catégorie C1 ou C2, ou pour un circuit de karting ..... D. pour une attraction de catégorie D ..... ii. paragraphe 7 (4) : A. pour une attraction de catégorie A1, A2, B1 ou B2 ..... B. pour une attraction de catégorie C1, C2 ou D, ou pour un circuit de karting ..... iii. paragraphe 7 (3), 50 pour cent des droits requis en vertu de la disposition i.	440,00 320,00 220,00 120,00 220,00 110,00

4.	For reviewing the submission of a technical dossier outside the offices of the body responsible for administering this Regulation, or for an inspection specially arranged by this body for a licensee .....	\$500.00 per day or part thereof, per person reviewing, plus all reasonable travelling, meal and accommodation expenses necessarily incurred
5.	For an inspection under subsection 6 (1) or clause 8 (3) (c) or a subsequent inspection of,  i. a class A1 or A2 amusement device .. ii. a class B1 or B2 amusement device or a go-kart that uses adult karts .....  iii. a class C1 or C2 amusement device or a go-kart that uses only kiddie karts ...  iv. a class D amusement device ..... v. a water slide .....  for every 100 metres or part thereof of total water channel length .....	220.00  115.00 plus 5.00 per kart  80.00  70.00 100.00  plus 50.00
6.	For all other inspections by an inspector ....	120.00 per hour per person inspecting, minimum of one hour
7.	For a copy of an inspection report or other document relating to an amusement device ..	40.00
8.	For a replacement of a registration number notice .....	65.00

2. This Regulation comes into force on January 1, 1997.

4.	Examen d'un dossier technique à l'extérieur des bureaux de l'organisme responsable de l'application du présent règlement, ou inspection prévue expressément par cet organisme pour le titulaire d'une licence ....	500,00 \$ par jour ou fraction de journée par examinateur, plus tous les frais raisonnables de déplacement, de repas et d'hébergement qui ont dû être engagés
5.	Inspection effectuée en vertu du paragraphe 6 (1) ou de l'alinéa 8 (3) c), ou inspection subséquente :  i. d'une attraction de catégorie A1 ou A2 ii. d'une attraction de catégorie B1 ou B2, ou d'un circuit de karting utilisant des karts pour adultes .....  iii. d'une attraction de catégorie C1 ou C2, ou d'un circuit de karting n'utilisant que des karts pour enfants ..... iv. d'une attraction de catégorie D ..... v. d'une glissoire aquatique .....  plus, pour chaque 100 mètres de longueur totale du canal rempli d'eau ou pour une fraction de ce nombre .....	220,00  115,00 plus 5,00 par kart  80,00  70,00 100,00  50,00
6.	Toutes autres inspections .....	120,00 l'heure par inspecteur, minimum d'une heure
7.	Copie d'un rapport d'inspection ou de tout autre document relatif à l'attraction .....	40,00
8.	Remplacement d'un avis de numéro d'enregistrement .....	65,00

2. Le présent règlement entre en vigueur le 1<sup>er</sup> janvier 1997.



**ONTARIO REGULATION 541/96**  
made under the  
**BOILERS AND PRESSURE VESSELS ACT**

Made: December 11, 1996

Filed: December 13, 1996

Amending Reg. 59 of R.R.O. 1990  
(General)

**Note:** Since January 1, 1996, Regulation 59 has been amended by Ontario Regulation 444/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Subsection 29 (2) of Regulation 59 of the Revised Regulations of Ontario, 1990 is amended by striking out "the Schedule" in the first and fourth lines and substituting in each case "Table 4".**

**2. Table 4 of the Regulation is amended by revoking item 7 and substituting the following:**

Inspections		
7.	For inspections by an inspector during the construction of pressure piping or a heat exchanger, boiler, pressure vessel or refrigeration plant	95.00 per hour per person inspecting, minimum of one hour
7.1	All other inspections by an inspector	120.00 per hour per person inspecting, minimum of one hour

**3. This Regulation comes into force on January 1, 1997.**

52/96

**ONTARIO REGULATION 542/96**  
made under the  
**ELEVATING DEVICES ACT**

Made: December 11, 1996

Filed: December 13, 1996

Amending Reg. 316 of R.R.O. 1990  
(General)

**Note:** Since January 1, 1996, Regulation 316 has been amended by Ontario Regulation 439/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Section 8 of Regulation 316 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**8. (1) An applicant for registration of a design submission shall make the application on a form supplied by the Ministry and include with it,**

(a) four copies of the design submission or, in the case of a standard design submission, two copies; and

(b) the appropriate fee prescribed in subsection (2).

(2) The following fees are prescribed for the purposes of this section:

1. Subject to paragraphs 2, 3, 4 and 5, in the case of a design submission for a new installation or major alteration, the fee set out in Column 4 of Table 1 opposite the class of elevating device applied for in Column 1.
2. In the case of a design submission that is based on a previously registered standard design submission, 50 per cent of the fee set out in Column 4 of Table 1 opposite the class of elevating device applied for in Column 1.
3. In the case of a design submission for a major alteration of an elevator, the fee set out in Column 4 of item 1 of Table 1.
4. In the case of a design submission for a major alteration of a construction hoist, the fee set out in Column 4 of item 3 of Table 1.
5. In the case of a design submission for a new installation or major alteration of an observation elevator or elevator serving on observation level referred to in subsection 34 (8) or (9), the fee set out in Column 4 of item 1 of Table 1.
6. In the case of a standard design submission, a revision to a design submission or a design submission for a minor alteration, the fee set out in Column 2 of Table 2 opposite the type of design submission applied for in Column 1.

**2. Section 11 of the Regulation is amended by adding the following subsections:**

(3) A contractor who is required to notify the Director of a minor alteration - Type B shall include with the notice the fee set out in item 8 of Table 2.

(4) If a laboratory or organization designated by a code or standard adopted in this Regulation is required by the code or standard to carry out an engineering test or certification of an elevating device component, the person who files the test or certification document with the Director shall include the fee set out in item 9 of Table 2.

**3. Section 12 of the Regulation is revoked and the following substituted:**

12. (1) The fee for a preliminary review of an elevating device or any component of an elevating device or for an assessment of the acceptability of a requested variance from an adopted code is the amount set out in Table 2.

(2) If a service referred to in subsection (1) is performed on premises other than at the Technical Standards Division of the Ministry, the fee shall include the living expenses and travelling expenses of the inspector defined in section 34.

(3) If an official on behalf of the body responsible for administering this Regulation undertakes a preliminary review of an elevating device or any component of an elevating device or an assessment of the acceptability of a requested variance from an adopted code on premises other than those of the body responsible for administering this Regulation, the person for whom the service is being provided shall pay the official's living and travelling expenses as defined in section 34, in addition to the fee set out in Table 2.

**4. Subsection 13 (1) of the Regulation is revoked and the following substituted:**

(1) An application for registration as a contractor or for renewal of that registration shall be on a form supplied by the Ministry and shall be accompanied by the fee set out in Table 3.

**5. Subsection 19 (1) of the Regulation is revoked and the following substituted:**

(1) An applicant for an initial or temporary licence for an elevating device or for a renewal of that licence shall submit an application on the form supplied by the Ministry together with the fee set out in Table 2.

**6. Subsection 20 (4) of the Regulation is revoked and the following substituted:**

(4) Subject to subsection (5), upon receipt of information described in subsection (3) and upon payment of the fee for the transfer of a licence set out in Table 2, the Director shall transfer or reissue the licence to the new owner.

**7. Section 22 of the Regulation is amended by adding the following subsection:**

(5) The fee for a duplicate installation number referred to in subsection (4) is the fee set out in item 12 of Table 2.

**8. Subsection 32 (1) of the Regulation is amended by striking out "and section 16" in the first line and substituting "and sections 16 and 34".**

**9. (1) Subsection 34 (2) of the Regulation is revoked and the following substituted:**

(2) Except where otherwise indicated in this section, the fees to be paid on an initial or subsequent inspection of an elevating device are those fees set out in Column 2 of Table 1 set out opposite the type of elevating device being inspected in Column 1.

(3) Except where otherwise indicated in this section the fee to be paid on a periodic inspection of an elevating device is that fee set out in Column 3 of Table 1 set out opposite the type of elevating device in Column 1.

(4) The fee on a special inspection of an elevating device set out in Column 1 of Table 1 is the basic fee set out opposite thereto in Column 3.

(5) Where a special inspection takes place because of a complaint, accident, fire or similar occurrence, the fee prescribed in subsection (4) shall only be charged where the inspector has determined that the owner has failed to comply with the requirements of the Act and regulations.

(6) Subject to subsection (7), the fee on a follow-up inspection for an elevating device set out in Column 1 of Table 1 is 50 per cent of the basic fee set out opposite thereto in Column 3.

(7) Where a follow-up inspection reveals that an inspector's orders have not been completed within the time specified by the inspector or where new orders are given, the fee on a follow-up inspection for an elevating device set out in Column 1 of Table 1 is the basic fee set out opposite thereto in Column 3.

(8) The applicable fee for an inspection of an observation elevator having travel in excess of 30 metres and having fewer than eight entrances is that set out in Table 1.

(9) The applicable fee for an inspection of an elevator designed to travel directly from ground level to an observation level and having travel in excess of 30 metres is that set out in Table 1.

(10) If an inspection is unduly delayed or prolonged by reason of an owner failing to comply with a requirement of clause 6 (1) (c) or (d) of the Act, the owner shall pay,

(a) the additional fee set out in item 7 of Table 2; and

(b) all travelling expenses and living expenses, if any, necessarily incurred by the inspector in connection with the inspection by reason of the delay or prolongation.

(11) Where an inspection is performed by reason of a previously issued order and is specially arranged to suit an owner's or contractor's schedule, the inspector's travelling expenses and living expenses shall be paid in addition to any fee owing under this section.

**(2) Subsection 34 (12) of the Regulation is amended by striking out "item 16" in the second line and substituting "item 5".**

**10. (1) Subsection 34.1 (1) of the Regulation is amended by striking out "the Schedule" in the first line and substituting "Tables 1, 2 and 3".**

**(2) Subsection 34.1 (2) of the Regulation is revoked and the following substituted:**

(2) A fee set out in Table 1, 2 or 3 that is expressed as an amount per hour is payable on the basis of each quarter hour or part of a quarter hour that the person charging the fee spends, subject to the minimum set out in that Table.

**11. The Schedule to the Regulation is revoked.**

**12. The Regulation is amended by adding the following Tables:**

TABLE 1  
FEES

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
		Initial and Subsequent Inspections	Other Inspections	Design Submission for New Installation or Major Alteration
1.	Elevator, other than an inclined elevator, serving 10 floors or less (basic); plus item 2	\$230.00	\$120.00	\$230.00
2.	Elevator, other than an inclined elevator, for each additional floor served exceeding 10 floors	18.00		20.00
3.	Construction Hoist—10 entrances or less and 30 metres of mast or tower (basic); plus items 4 & 5	230.00	120.00	230.00
4.	Construction Hoist—for each additional 3 metres or part thereof of mast or tower	3.00		3.00
5.	Construction Hoist—for each entrance over 10 entrances	18.00		--
6.	Escalator, manlift, moving walk, stage-lift (per section)	230.00	120.00	230.00
7.	Elevating Devices for the Handicapped	150.00	120.00	210.00



8.	Freight Platform Lift, Rope Tow, Dumbwaiter	200.00	120.00	230.00
9.	i. Chair Lift—up to and including 10 towers; plus item 11 ii. Gondola Lift—up to and including 10 towers; plus item 11 iii. Reversible Ropeway—up to and including 10 towers; plus item 11 iv. Funicular Railway—up to and including 10 towers; plus item 11	600.00	120.00	575.00
10.	i. Bar Lift—up to and including 10 towers; plus item 11 ii. Inclined Elevator	350.00	120.00	350.00
11.	For each tower in excess of 10 towers	35.00	120.00 (see Note)	35.00
12.	Special installation—per person, per hour (minimum two hours)	90.00	120.00	120.00

NOTE: Does not apply with respect to Items 9 and 10.

TABLE 2

## FEES

ITEM	COLUMN 1	COLUMN 2
1.	Registration of a design submission for a revision subsequent to initial registration for one elevating device . . . . .	\$115.00
2.	Registration of a design submission for a standard design submission, new . . . . .	500.00
3.	Registration of a design submission for a standard design submission, revised . . . . .	250.00
4.	Registration of a design submission for a minor alteration for one elevating device . . . . .	250.00
5.	Copy of an Inspection report or other document . . . . .	40.00
6.	Inspection Status Summary (covering up to six devices at one location) . . . . .	70.00
7.	Excess time charge for delaying or prolonging inspection, (per person, per hour, minimum one hour) . . . . .	90.00
8.	Filing of notification of a minor alteration—Type B . . . . .	60.00
9.	Filing of a certification or an engineering test report of an elevating device component . . . . .	400.00
10.	Preliminary review of the design of an elevating device or component, including an assessment of acceptability for a variance from adopted codes (per person, per hour) . . . . .	120.00
11.	On an application for a licence for an elevating device or a renewal of the licence . . . . .	110.00
12.	For a duplicate installation number under subsection 22 (4) . . . . .	60.00
13.	Transfer or reissue of a licence . . . . .	60.00
14.	Issuance of a temporary licence . . . . .	400.00

TABLE 3

## FEES—CONTRACTOR'S REGISTRATION

ITEM	COLUMN 1	COLUMN 2
1.	Initial registration as an elevating device contractor . . . . .	\$535.00 per class
2.	Renewal of registration as an elevating device contractor . . . . .	\$325.00 per class
3.	Initial/Renewal registration as a limited scope contractor (see Note) . . . . .	\$325.00 per class
4.	Application by an owner for initial registration to maintain elevating devices owned by the contractor . . . . .	\$20.00 per device (minimum \$80.00) to a maximum of \$535.00

5.	Application by an owner for renewal registration to maintain elevating devices owned by the contractor .....	\$20.00 per device (minimum \$80.00) to a maximum of \$325.00
6.	Registration fee for a consultant to permit testing elevating devices regardless of number of classes .....	\$440.00

**NOTE:** A contractor's registration is limited in scope when it is limited to specific functions.

**13. This Regulation comes into force on January 1, 1997.**

52/96

**ONTARIO REGULATION 543/96**  
made under the  
**ENERGY ACT**

Made: December 11, 1996  
Filed: December 13, 1996

Amending Reg. 329 of R.R.O. 1990  
(Fuel Oil Code)

**Note:** Since January 1, 1996, Regulation 329 has been amended by Ontario Regulations 349/96 and 442/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. The Schedule to Regulation 329 of the Revised Regulations of Ontario, 1990 is amended by striking out Item 1 and substituting the following:**

Item No.	Description	Fees \$
1.	Application for a licence to distribute fuel oil by pipeline, or renewal of the licence	500.00

**2. This Regulation comes into force on January 1, 1997.**

52/96

**ONTARIO REGULATION 544/96**  
made under the  
**ENERGY ACT**

Made: December 11, 1996  
Filed: December 13, 1996

Amending Reg. 331 of R.R.O. 1990  
(Gas Utilization Code)

**Note:** Since January 1, 1996, Regulation 331 has been amended by Ontario Regulation 350/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Regulation 331 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:**

**20.** A fee set out in the Schedule that is expressed as an amount per hour is payable on the basis of each quarter hour or part of a quarter hour that the person charging the fee spends, subject to the minimum set out in the Schedule.

**2. Items 5 and 6 of the Schedule to the Regulation are revoked and the following substituted:**

5.	Inspection services	120.00 per hour for each inspector providing the services, minimum of one hour
6.	Engineering services	120.00 per hour for each person providing the services, minimum of one hour

**3. This Regulation comes into force on January 1, 1997.**

52/96

**ONTARIO REGULATION 545/96**  
made under the  
**ENERGY ACT**

Made: December 11, 1996  
Filed: December 13, 1996

Amending Reg. 332 of R.R.O. 1990  
(Oil Pipeline Systems)

**Note:** Regulation 332 has not been amended in 1996. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Regulation 332 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:**

**16.** A fee set out in the Schedule that is expressed as an amount per hour is payable on the basis of each quarter hour or part of a quarter hour that the person charging the fee spends, subject to the minimum set out in the Schedule.

**2. Items 3 and 4 of the Schedule to the Regulation are revoked and the following substituted:**



3.	Inspection services	120.00 per hour for each inspector providing the services, minimum of one hour
4.	Engineering services	120.00 per hour for each person providing the services, minimum of one hour

3. This Regulation comes into force on January 1, 1997.

52/96

**ONTARIO REGULATION 546/96**  
made under the  
**ENERGY ACT**

Made: November 27, 1996

Filed: December 13, 1996

**GAS UTILIZATION CODE**

**DEFINITIONS**

1. In this Regulation,

"approved" means,

- (a) with respect to a standard or a laboratory test report, that it is listed in "Titles of Standards and Laboratory Test Reports Authorized in the Province of Ontario under the *Energy Act*", dated November 1, 1996, as amended from time to time,
- (b) with respect to an appliance, equipment, a component or an accessory, that it bears the label or symbol of a designated testing organization or a label or symbol authorized by the Director, certifying compliance with an approved standard or laboratory test report,
- (c) with respect to an installation or work, that it complies with this Regulation or a predecessor of this Regulation as it read when the installation was carried out;

"certificate" means a certificate referred to in section 14 of the Act, except in section 12;

"Code" means the *Ontario Gas Utilization Code, 1996* adopted as part of this Regulation under section 2, as amended from time to time;

"engineering services" means services performed for the purposes of the Act and includes services relating to the review of plans or drawings, requests for variances or deviations, the monitoring of field development projects, site remediation and general consultations;

"fuel features" means parts that use natural gas, handle natural gas, govern combustion or vent combustion products and the features of construction and installation that relate to the safe use and handling of natural gas;

"professional engineer" means a professional engineer within the meaning of the *Professional Engineers Act*;

"unacceptable condition" means,

- (a) with respect to an appliance, container or work, that it is being used for a purpose other than that for which it was approved,
- (b) with respect to an appliance, container or work, that an alteration to it, by the addition of a device or attachment or in any other way, or any deterioration of it, is likely to impair its safe operation, or
- (c) with respect to an appliance or work, that the condition of piping, tubing or hoses, the venting of products of combustion, the supply of air for combustion or the clearance from adjacent combustible matter is likely to impair its safe operation or does not meet the requirements of this Regulation or a predecessor of it, whichever applied when the appliance or work was installed.

2. The *Ontario Gas Utilization Code, 1996* issued by the Engineering and Standards Branch, Technical Standards Division of the Ministry of Consumer and Commercial Relations and the standards and specifications set out in it, and the "Titles of Standards and Laboratory Test Reports Authorized in the Province of Ontario under the *Energy Act*" dated November 1, 1996, as amended from time to time, are adopted as part of this Regulation.

3. No person or distributor shall knowingly supply natural gas to or use an appliance, a container, equipment, a work or any other thing employed in the handling or use of natural gas that does not comply with this Regulation or a predecessor of it as it read at the time of the installation.

**OWNER AND USER RESPONSIBILITIES**

4. (1) An owner or user of an appliance or work to whom notice has been given under section 6 or 7 that it is in an unacceptable condition constituting an immediate hazard shall not use, or cause or permit to be used, the appliance or work until the condition has been corrected and a distributor has determined on reinspection that the condition has been corrected.

(2) An owner or user of an appliance or work to whom notice has been given under section 6 or 7 that the appliance or work is in an unacceptable condition not constituting an immediate hazard shall not use, or cause or permit to be used, the appliance or work after the expiry of the period of time specified in the notice for correcting the condition, if the condition has not been corrected.

(3) An owner or user of an appliance, equipment, a work or any other thing employed in the handling or use of natural gas shall ensure that they are maintained in a safe operating condition.

5. (1) This section applies if a person who is exempted from section 14 of the Act installs an appliance or works on an installed appliance in his or her own detached dwelling.

(2) The person shall promptly notify the gas distributor after he or she completes the installation or work.

(3) The gas distributor shall inspect the installation or work to determine whether it complies with the requirements of the Act and regulations.

(4) A person referred to in subsection (1) shall not activate an appliance or work installed or serviced by him or her until a holder of a valid certificate has determined that the appliance or work and its installation comply with this Regulation.

(5) In subsection (4), "serviced" does not include the carrying out of routine maintenance.

**CERTIFICATE AND REGISTRATION HOLDER RESPONSIBILITIES**

6. (1) A holder of a certificate or registration who finds that the unacceptable condition of an appliance or work is an immediate hazard shall,

- (a) immediately shut off the supply of gas to the appliance or work;
- (b) immediately give oral notice of the holder's actions to the gas distributor;
- (c) immediately give to the user a written notice,
  - (i) describing the condition that constitutes an immediate hazard, and
  - (ii) directing that the appliance or work not be used until the condition is corrected; and
- (d) give written notice of the condition to the distributor, including notice that the supply of gas has been shut off, within 14 days of finding the condition.

(2) A holder of a certificate or registration who finds that an appliance or work is in an unacceptable condition not constituting an immediate hazard shall,

- (a) immediately give oral notice of the condition to the distributor of gas to the appliance or work;
- (b) immediately give written notice to the user of the appliance or work describing the condition and advising that notice of the condition has been given to the distributor; and
- (c) give written notice of the condition to the distributor within 14 days of finding the condition.

#### DISTRIBUTORS' RESPONSIBILITIES

7. (1) A distributor who finds that an appliance or work is in an unacceptable condition constituting an immediate hazard shall,

- (a) immediately shut off the supply of gas to the appliance or work; and
- (b) give prompt written notice of the condition to the user, including a direction that the appliance or work not be used until the condition is corrected and a distributor determines on reinspection that the condition has been corrected.

(2) A distributor who finds that an appliance or work is in an unacceptable condition that does not constitute an immediate hazard shall promptly give the user a written notice describing the condition and indicate in it that the distributor will shut off the supply of gas to the appliance or work within the period of time specified in the notice, which shall not be greater than 90 days.

(3) A distributor who gives notice under subsection (2) shall shut off the supply of gas to the appliance or work if the unacceptable condition is not corrected within 90 days.

(4) A distributor to whom a notice of the existence of an unacceptable condition is given under section 6 shall examine the appliance or work and take action in accordance with this section.

#### INSPECTIONS BY DISTRIBUTORS

8. (1) A distributor shall not supply gas to an appliance or work installed in a residential or commercial building unless the distributor has inspected the appliance or work and is satisfied that the installation and use of the appliance or work complies with the Act and with this Regulation or a predecessor of it as it read when the appliance or work was installed.

(2) An inspection shall be carried out by a person who is the holder of a valid certificate for the purpose.

(3) A distributor shall prepare a report on each inspection made under subsection (1) and keep it until the next inspection and report are completed.

#### INSPECTIONS BY OWNERS

9. (1) An owner of an industrial, institutional or assembly building, as defined in the Code, where a natural gas appliance or work is installed shall ensure that,

- (a) the appliance or work and its fuel features are maintained in accordance with the manufacturer's recommended maintenance procedures;
- (b) in consultation with the manufacturer or as required by the Director, an evaluation of the maintenance procedures referred to in clause (a) is carried out at least once every 10 years and, where necessary, new or upgraded procedures are established;
- (c) an inspection of the appliance or work and its fuel features is carried out at least once every 10 years to ensure that they are in a safe operating condition and that the installation is in compliance with the Act and with this Regulation or a predecessor of it as it read when the appliance or work was installed.

(2) An inspection shall be carried out by a person who is the holder of a valid certificate for the purpose.

(3) The owner shall keep a record of an inspection made under clause (1) (c) until the next inspection and report is completed.

#### LABORATORY APPROVAL OF APPLIANCES, EQUIPMENT, COMPONENTS AND ACCESSORIES

10. (1) This section applies only to the testing of appliances, equipment, components and accessories that is carried out at a place other than the place where they are installed for their intended use.

(2) A person may apply to a designated testing organization to have an appliance, equipment, a component or an accessory tested under this section.

(3) The Canadian Gas Association, the Canadian Standards Association, the Underwriters' Laboratories of Canada, Underwriters Laboratories Inc., Inchcape Testing Services NA Inc., and Inchcape Testing Services NA Ltd. are designated as organizations to test appliances, equipment, components and accessories to the applicable approved standards or laboratory test reports for the purposes of clause 3.2.1 of the Canadian Gas Association Standard CAN/CGA-B149.1-M95 as adopted by the Code.

(4) The Factory Mutual System is designated as an organization to test equipment, components and accessories to applicable approved standards or laboratory test reports for the purposes of clause 3.2.1 of the Canadian Gas Association Standard CAN/CGA-B149.1-M95 as adopted by the Code.

(5) A designated testing organization that tests an appliance, equipment, a component or an accessory under this section shall place its label or symbol on it if it conforms to the applicable approved standards or laboratory test reports.

#### FIELD APPROVAL OF APPLIANCES, EQUIPMENT, COMPONENTS AND ACCESSORIES

11. (1) This section applies only to the testing of appliances, equipment, components or accessories that is carried out at the place where they are installed for their intended use.

(2) A person may apply to the Director, an inspector authorized by the Director or International Approval Services Canada Inc. to have an



appliance, equipment, a component or an accessory tested under this section.

(3) The Director, an inspector authorized by the Director or International Approval Services Canada Inc. may decline to test an appliance, equipment, a component or an accessory if its design is substantially the same as one that has been tested and approved by a designated testing organization.

(4) The Director, an inspector authorized by the Director or International Approval Services Canada Inc. may test appliances, equipment, components and accessories to applicable approved standards or laboratory test reports for the purposes of clause 3.2.1 of the Canadian Gas Association Standard CAN/CGA-B149.1-M95 as adopted by the Code.

(5) If an appliance, equipment, a component or an accessory tested under this section conforms to the applicable approved standards or laboratory test reports, the Director, an inspector authorized by the Director or International Approval Services Canada Inc. shall place its label or symbol on it.

(6) If an appliance, equipment, a component or an accessory is tested under this section, the Director, an inspector authorized by the Director or International Approval Services Canada Inc. shall,

- (a) determine whether its fuel features comply with the approved standards and this Regulation; and
- (b) affix or cause to be affixed a label or symbol authorized by the Director to the appliance, equipment, component or accessory, if the Director, an inspector authorized by the Director or International Approval Services Canada Inc. determines that its fuel features comply with the approved standards and this Regulation.

(7) An applicant shall provide to the Director, an inspector authorized by the Director or International Approval Services Canada Inc. all information, and shall conduct or cause to be conducted all tests, required to determine compliance with clause (6) (a).

(8) An applicant who applies to the Director to have an appliance, equipment, a component or an accessory tested and approved under this section shall pay the non-refundable fees prescribed in the Schedule for the time reasonably spent,

- (a) in reviewing information about the thing to be tested;
- (b) in inspecting its fuel features; and
- (c) in observing any test of the fuel features to determine their compliance with this Regulation.

12. (1) As an alternative to an application under subsection 11 (2), a user of an appliance having an input exceeding 15 000 kilowatts (50,000,000 British thermal units per hour) may, before the appliance is initially activated and used for its intended purpose, obtain a written statement from a professional engineer certifying that the appliance complies with the approved standards and this Regulation.

(2) A user seeking to certify an appliance under subsection (1) shall, for the purpose of determining compliance with clause 11 (6) (a) provide the professional engineer with all the information that he or she requires and conduct, or cause to be conducted, all tests that he or she requires.

(3) A professional engineer who certifies an appliance shall state whether the fuel features meet the requirement set out in clause 11 (6) (a).

(4) The user shall retain the certificate obtained under subsection (1), and the certificate is sufficient indication that the appliance has been approved and replaces the requirement for a label or symbol referred to in clause 11 (6) (b).

(5) Before an appliance certified by a professional engineer is activated, the user shall submit to the gas distributor a copy of the certificate, along with the name, address and telephone number of the person who will activate the appliance.

#### REGISTRATION OF CONTRACTORS

13. (1) An application for registration as a contractor under section 13 of the Act shall be made to the Director in the required form and be accompanied by the prescribed fee.

(2) A registration as a contractor expires one year after its date of issue.

(3) An application to renew a registration made after the registration has expired shall be treated as a new application for registration.

(4) The Director shall issue evidence of registration to an applicant who is registered as a contractor or renews a registration as a contractor.

(5) The Director shall issue a renewal of a registration as a contractor if the holder of the registration applies for it, pays the required fee and is not in arrears of any fees owed to the Director.

(6) A registered contractor shall display the evidence of registration in a conspicuous place at the contractor's business premises and shall notify the Director within six days of any change in the business address.

(7) A registration is not transferable.

(8) If the name on the registration changes, the holder shall promptly apply to the Director for a registration containing the new name and pay the prescribed fee.

(9) If the registration is lost, stolen or destroyed, the holder shall promptly apply to the Director for a duplicate and shall pay the prescribed fee, whereupon the Director shall issue duplicate evidence of a valid registration.

(10) Any duplicate registration issued due to the loss or theft of the original shall promptly be returned to the Director if the original is recovered.

#### EXEMPTIONS

14. A person is exempt from section 10 of the Act with respect to the following:

- 1. Manually operated industrial appliances that have an input of not more than 6 kilowatts (20,000 British thermal units per hour).
- 2. Bunsen burners.
- 3. Stationary gas engines including turbine engines.
- 4. Portable gas equipment used for road construction or repair.

#### FEES

15. (1) The fees and rates of fees payable under this Regulation are set out in the Schedule.

(2) A person for whom inspection or engineering services are provided for the purposes of administering or determining compliance with this Regulation shall pay the prescribed fees, or cause them to be paid, including, where applicable, travel time and reasonable travel and living expenses incurred by the inspector or person providing the engineering services.

(3) A fee set out in the Schedule that is expressed as an amount per hour is payable on the basis of each quarter hour or part of a quarter hour that the person charging the fee spends, subject to the minimum set out in the Schedule.

16. Regulation 331 of the Revised Regulations of Ontario, 1990 and Ontario Regulations 399/91, 681/91, 219/92, 541/92, 546/92, 449/93, 350/96 and 544/96 are revoked.

17. This Regulation comes into force 60 days after it is filed.

#### Schedule

ITEM NO.	COLUMN 1	COLUMN 2
1.	Application for registration as a contractor, or renewal of the registration	\$210.00
2.	Issuance of a duplicate registration	15.00
3.	Issuance of a registration bearing a new name or address	15.00
4.	Inspection services	120.00 per hour for each inspector providing the services, minimum of one hour
5.	Engineering services	120.00 per hour for each person providing the services, minimum of one hour



**ONTARIO REGULATIONS**

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1997—01—04

## ONTARIO REGULATION 547/96 made under the MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 11, 1996  
Filed: December 16, 1996

### TOWN OF KINGSVILLE AND TOWNSHIP OF GOSFIELD SOUTH

1. (1) On January 1, 1997, the portions of the Township of Gosfield South described in Schedule 1 are annexed to the Town of Kingsville.

(2) On January 1, 1997, the portion of the Town of Kingsville described in Schedule 2 is annexed to the Township of Gosfield South.

2. (1) All real property of The Corporation of the Township of Gosfield South situate in the areas described in Schedule 1 vests in The Corporation of the Town of Kingsville on January 1, 1997.

(2) All real property of The Corporation of the Town of Kingsville situate in the area described in Schedule 2 vests in The Corporation of the Township of Gosfield South on January 1, 1997.

3. On January 1, 1997, the by-laws of The Corporation of the Town of Kingsville extend to the areas described in Schedule 1 and the by-laws of The Corporation of the Township of Gosfield South cease to apply to these areas, except,

(a) by-laws of The Corporation of the Township of Gosfield South,

(i) that were passed under section 31, 34 or 41 of the *Planning Act* or a predecessor of those sections,

(ii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion of them upon or over highways, or

(iii) that were passed under the *Weed Control Act*,

which shall remain in force until repealed by the council of The Corporation of the Town of Kingsville;

(b) by-laws that were passed under sections 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections which shall remain in force until repealed by the council of The Corporation of the Town of Kingsville; and

(c) any by-law conferring rights, privileges, franchises, immunities or exemptions that could not lawfully be repealed by the council of The Corporation of the Township of Gosfield South.

4. On January 1, 1997, the by-laws of The Corporation of the Township of Gosfield South extend to the area described in Schedule 2 and the by-laws of The Corporation of the Town of Kingsville cease to apply that area, except,

(a) by-laws of The Corporation of the Town of Kingsville,

(i) that were passed under section 31, 34 or 41 of the *Planning Act* or a predecessor of those sections,

(ii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion of them upon or over highways, or

(iii) that were passed under the *Weed Control Act*;

which shall remain in force until repealed by the council of The Corporation of the Township of Gosfield South;

(b) by-laws that were passed under sections 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections which shall remain in force until repealed by the council of The Corporation of the Township of South Gosfield; and

(c) any by-law conferring rights, privileges, franchises, immunities or exemptions that could not lawfully be repealed by the council of The Corporation of the Town of Kingsville.

5. (1) The clerk of The Corporation of the Township of Gosfield South shall promptly prepare and furnish to the clerk of The Corporation of the Town of Kingsville a special collector's roll showing all arrears of real property taxes and special rates assessed against the areas described in Schedule 1 up to and including December 31, 1996 and the persons assessed for them.

(2) The clerk of The Corporation of the Town of Kingsville shall promptly prepare and furnish to the clerk of The Corporation of the Township of Gosfield South a special collector's roll showing all arrears of real property taxes and special rates assessed against the area described in Schedule 2 up to and including December 31, 1996 and the persons assessed for them.

6. (1) All real property taxes levied under any general or special Act and uncollected in areas described in Schedule 1 that are due and unpaid on December 31, 1996 shall be deemed on January 1, 1997, to be taxes due and payable to The Corporation of the Town of Kingsville and may be collected by it.

(2) On or before April 1, 1997, The Corporation of the Town of Kingsville shall pay to The Corporation of the Township of Gosfield South an amount equal to the amount of all real property taxes which The Corporation of the Town of Kingsville is entitled to collect under subsection (1) in the areas described in Schedule 1 that were due but unpaid on December 31, 1996.

7. (1) All real property taxes levied under any general or special Act and uncollected in the area described in Schedule 2 that are due and unpaid on December 31, 1996 shall be deemed on January 1, 1997, to be taxes due and payable to The Corporation of the Township of Gosfield South and may be collected by it.

(2) On or before April 1, 1997, The Corporation of the Township of Gosfield South shall pay to The Corporation of the Town of Kingsville an amount equal to the amount of all real property taxes which The Corporation of the Township of Gosfield South is entitled to collect under subsection (1) in the area described in Schedule 2 that were due but unpaid on December 31, 1996.

8. (1) For the purposes of the assessment roll to be prepared for the Town of Kingsville under the *Assessment Act* for the 1997 taxation year, the areas described in Schedule 1 shall be deemed to be a part of the Town of Kingsville.

(2) For the purposes of the assessment roll to be prepared for the Township of Gosfield South under the *Assessment Act* for the 1997 taxation year, the area described in Schedule 2 shall be deemed to be a part of the Township of Gosfield South.

9. The Corporation of the Town of Kingsville shall pay to The Corporation of the Township of Gosfield South on December 1 of each year for a period of ten years commencing on December 1, 1997, a sum equal to the amount of taxes levied for municipal purposes by The Corporation of the Township of Gosfield South in 1996 for the areas described in Schedule 1.

10. The agreement between The Corporation of the Town of Kingsville and The Corporation of the Township of Gosfield South entered into on July 8, 1996 is hereby given effect to the extent that it is included in this Regulation.

#### Schedule 1

REGISTRY DIVISION OF ESSEX (12)  
PART OF LOTS 3, 4 AND 5  
CONCESSION 1, WESTERN DIVISION  
TOWNSHIP OF GOSFIELD SOUTH  
COUNTY OF ESSEX  
PROVINCE OF ONTARIO

AREA: 136 acres, more or less.

COMMENCING at the intersection of the present limit between the Town of Kingsville and the Township of Gosfield South with the Northern limit of King's Highway Number 18;

THENCE Westerly in the last mentioned limit to the Eastern limit of the lands designated as Part 1 as shown on Plan 12R-11558;

THENCE Northwesterly and Northerly in the Eastern limit of the lands on said Plan 12R-11558 to the Southern limit of the lands designated on Plan 12R-8335;

THENCE Easterly in the last mentioned limit to the Western limit of a Right-of-way known as Fox Lane;

THENCE Northerly in the last mentioned limit to a point distant, 1,481 feet measured Southerly therealong from the Northern limit of said Lot 5;

THENCE Easterly at right angles to the limit between Lots 4 and 5 to the limit between Lots 3 and 4;

THENCE Northerly in the last mentioned limit to a point in the Westerly production of the Southern limit of the lands designated as Part 1 on Plan 12R-4442;

THENCE Easterly along the said Westerly production and the said Southern limit of the lands designated as Part 1, Plan 12R-4442 to the limit between Lots 2 and 3;

THENCE Southerly in the last mentioned limit to the present Northwestern angle of the Town of Kingsville;

THENCE Southerly, Westerly, Southwesterly and Southerly along the last mentioned limit being also, the aforementioned limit between the said Town of Kingsville and said Township of Gosfield South to the POINT OF COMMENCEMENT.

and

REGISTRY DIVISION OF ESSEX (12)  
PART OF LOT 1  
CONCESSION 1, EASTERN DIVISION  
TOWNSHIP OF GOSFIELD SOUTH  
COUNTY OF ESSEX  
PROVINCE OF ONTARIO

Firstly

AREA: 1.4 acres, more or less.

COMMENCING at the point of intersection of the Western limit of those lands designated as Part 6, on Plan 12R-14670 with the existing Northern limit of the Town of Kingsville being also the Southern limit of the Township of Gosfield South;

THENCE Westerly along the last mentioned limit to a point in the Eastern limit of those lands designated as part 1 on Plan 12R-1746 being also the limit between the Town of Kingsville and the Township of Gosfield South;

THENCE Northerly along the last mentioned limit to the Northern limit of those lands designated as Part 1 on Plan 12R-1746 being also the limit between the Town of Kingsville and the Township of Gosfield South;

THENCE Westerly along the last mentioned limit to the Eastern limit of Division Road;

THENCE Northerly along the last mentioned limit, distant 66.0 feet to a point;

THENCE Easterly and parallel to the aforementioned Northern limit of the Town of Kingsville and the Southern limit of the Township of Gosfield South to a point in the aforementioned Western limit of those lands designated as Part 6 on Plan 12R-14670;

THENCE Southerly along the last mentioned limit to the POINT OF COMMENCEMENT.

Secondly

AREA: 46.8 acres more or less

THOSE lands designated as Parts 2, 3, 4, 5 and 6 on Plan 12R-14670.

and

REGISTRY DIVISION OF ESSEX (12)  
PART OF LOTS 2 AND 3  
CONCESSION 1, EASTERN DIVISION  
TOWNSHIP OF GOSFIELD SOUTH  
COUNTY OF ESSEX  
PROVINCE OF ONTARIO

Firstly

AREA: 43.6 acres, more or less.

COMMENCING at a point in the Northern limit of the Town of Kingsville at its point of intersection with the Western limit of Jasperson Lane, and said point of commencement being also in the Westerly production of the Southern limit of those lands designated as Part 4 on Plan 12R-6302.

THENCE Northerly along the Western limit of said Jasperson Lane, being also in the Eastern limit of those lands designated as Part 1 on Plan 12R-13610, distant 1,944.87 feet to a point in a Southern limit of those lands designated as Part 1 on Plan 12R-13610;



THENCE Easterly along the last mentioned limit, distant 24.0 feet to a point;

THENCE Southeasterly in a straight line to a point in the most Northwestern angle of those lands designated as Part 4 on Plan 12R-6302;

THENCE Easterly along the Northern limit of those lands designated as Part 4 on Plan 12R-6302, to a point in the Eastern limit of those lands designated as Part 4 on Plan 12R-6302;

THENCE Southerly along the last mentioned limit to a point in the aforementioned Southern limit of those lands designated as Part 4 on Plan 12R-6302;

THENCE Westerly along the last mentioned limit and its Western production to the POINT OF COMMENCEMENT.

Secondly

AREA: 4.0 acres more or less.

THOSE lands designated as Part 3 on Plan 12R-11644.

and

PART OF LOT 3  
CONCESSION 1, EASTERN DIVISION  
TOWNSHIP OF GOSFIELD SOUTH  
COUNTY OF ESSEX  
PROVINCE OF ONTARIO

AREA: 41 acres more or less

COMMENCING at the Southwest corner of the lands designated as Part 1, on Plan 12R-12517 being also a point in the present limit between the Town of Kingsville and Township of Gosfield South;

THENCE Northerly along the Western limit of said Part 1 being also the present limit between the Town of Kingsville and the Township of Gosfield South to an angle of said part being its intersection with the Southeastern limit of the right of way of the Chesapeake and Ohio Railway;

THENCE Northeasterly along the Southeastern limit of said railway right of way to its intersection with the Southern limit of the lands designated as Part 2 on said Plan 12R-12517;

THENCE Easterly along the last mentioned limit and its production Easterly to its point of intersection with the Northerly production of an Eastern limit of said lands designated as Part 1 on Plan 12R-12517 being also the Western limit of lands designated as Part 3 on Plan 12R-11365;

THENCE Southerly along the last mentioned Northerly production and the last mentioned limit to where the said limit intersects with the present limit between the Town of Kingsville and the Township of Gosfield South;

THENCE Westerly along said last mentioned limit to the POINT OF COMMENCEMENT.

and

REGISTRY DIVISION OF ESSEX (12)  
PART OF LOT 2  
CONCESSION 1, EASTERN DIVISION  
TOWNSHIP OF GOSFIELD SOUTH  
COUNTY OF ESSEX  
PROVINCE OF ONTARIO

AREA: 107.2 acres, more or less.

THOSE lands designated as Parts 1, 2 and 3 on Plan 12R-13610.

## Schedule 2

REGISTRY DIVISION OF ESSEX (12)  
PART OF LOTS 4 AND 5  
TOWN OF KINGSVILLE  
COUNTY OF ESSEX  
PROVINCE OF ONTARIO

AREA: 3.2 acres, more or less.

COMMENCING at the point of intersection of the Southern limit of the former lands of the Chesapeake and Ohio Railway with the Western limit of Heritage Road (formerly King's Highway Number 18A as shown on Ministry of Transportation of Ontario Plan P-2854-21 registered as Plan 12R-1226;

THENCE Southerly along the last mentioned limit to its intersection with the present limit between the Town of Kingsville and the Township of Gosfield South;

THENCE Southwesterly along the last mentioned limit to an angle in the present limit between the Town of Kingsville and the Township of Gosfield South;

THENCE Northerly along said present limit between the Town of Kingsville and the Township of Gosfield South to its intersection with the aforementioned Southern limit of the former lands of the Chesapeake and Ohio Railway;

THENCE Easterly along the last mentioned limit to the POINT OF COMMENCEMENT.

1/97

## ONTARIO REGULATION 548/96 made under the MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 11, 1996

Filed: December 16, 1996

### TOWN OF MIDLAND, TOWN OF PENETANGUISHENE, TOWNSHIP OF TAY BOUNDARY

1. (1) On January 1, 1998, the portion of the Township of Tay described in Schedule A is annexed to the Town of Penetanguishene.

(2) All real property including liabilities related to the real property of The Corporation of the Township of Tay located within the annexed area vests in The Corporation of the Town of Penetanguishene on January 1, 1998.

(3) Before January 1, 1998, The Corporation of the Township of Tay shall not convey or agree to convey any interest in real property located within the annexed area without the approval of The Corporation of the Town of Penetanguishene.

(4) Subsection (3) does not apply to a property in respect of which The Corporation of the Township of Tay has entered into a binding agreement to convey that property before the date this regulation comes into force.

2. (1) On January 1, 1998, the portion of the Township of Tay described in Schedule B is annexed to the Town of Midland.

(2) All real property including liabilities related to the real property of The Corporation of the Township of Tay located within the annexed area vests in The Corporation of the Town of Midland on January 1, 1998.

(3) Before January 1, 1998, The Corporation of the Township of Tay shall not convey or agree to convey any interest in real property located within the annexed area without the approval of The Corporation of the Town of Midland.

(4) Subsection (3) does not apply to a property in respect of which The Corporation of the Township of Tay has entered into a binding agreement to convey that property before the date this Regulation comes into force.

3. (1) On or before January 1, 1998, The Corporation of the Township of Tay shall pay to The Corporation of the Town of Penetanguishene an amount calculated as follows:

$$A = B + C - D$$

where,

- A = the amount payable to The Corporation of the Town of Penetanguishene,
- B = the total of all development charges collected by The Corporation of the Township of Tay under the *Development Charges Act* in the period from January 1, 1994 to December 31, 1997, inclusive, as a result of development in the annexed area in Schedule A,
- C = interest accumulated on funds described in B,
- D = the portion of the funds described in B and C which, before January 1, 1998, The Corporation of the Township of Tay has spent or has entered into a binding agreement to spend.

(2) The Corporation of the Township of Tay shall not spend or enter into a binding agreement to spend any of the funds described in B and C in subsection (1) without the prior written approval of The Corporation of the Town of Penetanguishene.

(3) On or before January 1, 1998, The Corporation of the Township of Tay shall pay to The Corporation of the Town of Penetanguishene an amount equal to the net value of the assets and liabilities, excluding the assets and liabilities described in section 2, of The Corporation of the Township of Tay that pertained to the annexed area on January 1, 1994.

(4) Payments under this section shall be deemed to be a matter within the meaning of subsection 147 (2) of the *Municipal Act*.

4. (1) On or before January 1, 1998, The Corporation of the Township of Tay shall pay to The Corporation of the Town of Midland an amount calculated as follows:

$$A = B + C - D$$

where,

- A = the amount payable to The Corporation of the Town of Midland,
- B = the total of all development charges collected by The Corporation of the Township of Tay under the *Development Charges Act* in the period from January 1, 1994 to December 31, 1997, inclusive, as a result of development in the annexed area in Schedule B,

- C = interest accumulated on funds described in B,
- D = the portion of the funds described in B and C which, before January 1, 1998, The Corporation of the Township of Tay has spent or has entered into a binding agreement to spend.

(2) The Corporation of the Township of Tay shall not spend or enter into a binding agreement to spend any of the funds described in B and C in subsection (1) without the prior written approval of The Corporation of the Town of Midland.

(3) On or before January 1, 1998, The Corporation of the Township of Tay shall pay to The Corporation of the Town of Midland an amount equal to the net value of the assets and liabilities, excluding the assets and liabilities described in section 2, of The Corporation of the Township of Tay that pertained to the annexed area on January 1, 1994.

(4) Payments under this section shall be deemed to be a matter within the meaning of subsection 147 (2) of the *Municipal Act*.

5. (1) On January 1, 1998, the by-laws of The Corporation of the Town of Penetanguishene extend to the annexed area in Schedule A and the by-laws of The Corporation of the Township of Tay cease to apply to such area, except,

(a) by-laws of The Corporation of the Township of Tay,

- (i) that were passed under section 34 or 41 of the *Planning Act* or a predecessor of those sections,
- (ii) that were kept in force by subsection 13 (3) of the *Municipal Amendment Act, 1941*, or
- (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicle and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Town of Penetanguishene;

(b) by-laws of The Corporation of the Township of Tay passed under section 3 of the *Development Charges Act* which shall remain in force until the earlier of,

- (i) the date they are repealed by the council of The Corporation of the Town of Penetanguishene, and
- (ii) the date they expire under subsection 6 (1) or (2) of the *Development Charges Act*;

(c) by-laws of The Corporation of the Township of Tay passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and

(d) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Tay.

(2) If The Corporation of the Township of Tay has commenced procedures to enact a by-law under any Act or to adopt an official plan or amendment thereto under the *Planning Act* and that by-law, official plan or amendment applies to the annexed area and is not in force on January 1, 1998, the council of The Corporation of the Town of Penetanguishene may continue the procedures to enact the by-law or adopt the official plan or amendment to the extent that it applies to the annexed area.

6. (1) On January 1, 1998, the by-laws of The Corporation of the Town of Midland extend to the annexed area in Schedule B and the



by-laws of The Corporation of the Township of Tay cease to apply to such area, except,

(a) by-laws of The Corporation of the Township of Tay,

- (i) that were passed under section 34 or 41 of the *Planning Act* or a predecessor of those sections,
- (ii) that were kept in force by subsection 13 (3) of the *Municipal Amendment Act, 1941*, or
- (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Town of Midland;

(b) by-laws of The Corporation of the Township of Tay passed under section 3 of the *Development Charges Act* which shall remain in force until the earlier of,

- (i) the date they are repealed by the council of The Corporation of the Town of Midland, and
- (ii) the date they expire under subsection 6 (1) or (2) of the *Development Charges Act*;

(c) by-laws of The Corporation of the Township of Tay passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and

(d) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Tay.

(2) If The Corporation of the Township of Tay has commenced procedures to enact a by-law under any Act or to adopt an official plan or amendment thereto under the *Planning Act* and that by-law, official plan or amendment applies to the annexed area and is not in force on January 1, 1998, the council of The Corporation of the Town of Midland may continue the procedures to enact the by-law or adopt the official plan or amendment to the extent that it applies to the annexed area.

7. Before January 1, 1998, The Corporation of the Township of Tay shall not adopt an amendment to an official plan that affects land in the annexed area without the prior written approval of The Corporation of the Town of Penetanguishene in respect of land in Schedule A and The Corporation of the Town of Midland in respect of land in Schedule B.

8. After January 1, 1998, the clerk of The Corporation of the Township of Tay shall forthwith prepare and furnish to the clerk of The Corporation of the Town of Penetanguishene, in respect of land in Schedule A, and The Corporation of the Town of Midland, in respect of land in Schedule B, a special collector's roll showing all arrears of real property taxes or special rates assessed against the lands in the annexed area up to and including December 31, 1997 and the persons assessed therefor.

9. (1) All real property taxes levied under any general or special Act and uncollected in the annexed area in Schedule A which are due and unpaid on December 31, 1997 shall be deemed on January 1, 1998 to be taxes due and payable to The Corporation of the Town of Penetanguishene and may be collected by The Corporation of the Town of Penetanguishene.

(2) On or before April 1, 1998, The Corporation of the Town of Penetanguishene shall pay to The Corporation of the Township of Tay

an amount equal to the amount of all real property taxes that The Corporation of the Town of Penetanguishene is entitled to collect in the annexed area under subsection (1), that were due but unpaid on January 1, 1998.

10. (1) All real property taxes levied under any general or special Act and uncollected in the annexed area in Schedule B which are due and unpaid on December 31, 1997 shall be deemed on January 1, 1998 to be taxes due and payable to The Corporation of the Town of Midland and may be collected by The Corporation of the Town of Midland.

(2) On or before April 1, 1998, The Corporation of the Town of Midland shall pay to The Corporation of the Township of Tay an amount equal to the amount of all real property taxes that The Corporation of the Town of Midland is entitled to collect in the annexed area under subsection (1), that were due but unpaid on January 1, 1998.

11. All business taxes levied and uncollected in the annexed areas in Schedules A and B that are due and unpaid on December 31, 1997 shall continue after that date to be taxes due and payable to The Corporation of the Township of Tay and may be collected by The Corporation of the Township of Tay.

12. (1) For the purposes of the assessment roll to be prepared for the Town of Penetanguishene in 1997 for taxation in 1998, the annexed area in Schedule A shall be deemed to be part of the Town of Penetanguishene and the annexed area shall be assessed on the same basis that the assessment roll for the Town of Penetanguishene is prepared.

(2) Despite subsection (1), if, as of January 1, 1998, the Town of Penetanguishene as established under clause 2 (1) (l) of the *County of Simcoe Act, 1993* has not been reassessed under section 58 or 63 of the *Assessment Act* or section 371 of the *Municipal Act*, the annexed area shall, until such a re-assessment occurs, be assessed on the same basis as the land in the Town of Penetanguishene as it existed on December 31, 1993 is assessed.

13. (1) For the purposes of the assessment roll to be prepared for the Town of Midland in 1997 for taxation in 1998, the annexed area in Schedule B shall be deemed to be part of the Town of Midland and the annexed area shall be assessed on the same basis that the assessment roll for the Town of Midland is prepared.

(2) Despite subsection (1), if, as of January 1, 1998, the Town of Midland as established under clause 2 (1) (m) of the *County of Simcoe Act, 1993* has not been reassessed under section 58 or 63 of the *Assessment Act* or section 371 of the *Municipal Act*, the annexed area shall, until such a re-assessment occurs, be assessed on the same basis as the land in the Town of Midland as it existed on December 31, 1993 is assessed.

14. (1) If, as a direct result of the annexation, the 1998 rates of taxation of the Town of Penetanguishene for general purposes are more than 110 per cent but less than 120 per cent of the 1997 rates of taxation of the Township of Tay for general purposes, the rates of taxation of the Town of Penetanguishene for general purposes, that, but for this Regulation would have applied in the annexed area in Schedule A, shall be decreased in 1998 by two-thirds and in 1999 by one-third of the increase in the rates of taxation in the annexed area occurring in 1998 as a direct result of the annexation.

(2) If, as a direct result of the annexation, the 1998 rates of taxation of the Town of Penetanguishene for general purposes are 120 per cent or more of the 1997 rates of taxation of the Township of Tay for general purposes, the rates of taxation of the Town of Penetanguishene for general purposes, that, but for this Regulation would have applied in the annexed area, shall be decreased in 1998 by 80 per cent, in 1999 by 60 per cent, in 2000 by 40 per cent and in 2001 by 20 per cent of the increase in the rates of taxation in the annexed area occurring in 1998 as a direct result of the annexation.



(3) In each year, the amount of the reduction in the tax levies of the Town of Penetanguishene occurring as a result of the adjustments under subsections (1) and (2) shall be charged to the general funds of the Town of Penetanguishene and shall be recovered by increasing the rates of taxation for general purposes that, but for this Order, would have applied in the Town of Penetanguishene excluding the annexed area.

15. (1) If, as a direct result of the annexation, the 1998 rates of taxation of the Town of Midland for general purposes are more than 110 per cent but less than 120 per cent of the 1997 rates of taxation of the Township of Tay for general purposes, the rates of taxation of the Town of Midland for general purposes, that, but for this Regulation would have applied in the annexed area in Schedule B, shall be decreased in 1998 by two-thirds and in 1999 by one-third of the increase in the rates of taxation in the annexed area occurring in 1998 as a direct result of the annexation.

(2) If, as a direct result of the annexation, the 1998 rates of taxation of the Town of Midland for general purposes are 120 per cent or more of the 1997 rates of taxation of the Township of Tay for general purposes, the rates of taxation of the Town of Midland for general purposes, that, but for this Regulation would have applied in the annexed area, shall be decreased in 1998 by 80 per cent, in 1999 by 60 per cent, in 2000 by 40 per cent and in 2001 by 20 per cent of the increase in the rates of taxation in the annexed area occurring in 1998 as a direct result of the annexation.

(3) In each year, the amount of the reduction in the tax levies of the Town of Midland occurring as a result of the adjustments under subsections (1) and (2) shall be charged to the general funds of the Town of Midland and shall be recovered by increasing the rates of taxation for general purposes that, but for this Order, would have applied in the Town of Midland excluding the annexed area.

16. (1) Despite sections 14 and 15, if a change of use or character of a property in the annexed areas in Schedules A and B occurs after January 1, 1998, the phase-in of the real property taxes on the property and of business taxes with respect to a business located on the property ceases effective January 1 of the year following the year in which the change occurred.

(2) For the purpose of subsection (1),

"change of use or character of a property" means,

- (a) the reclassification of the property from one assessment property class to another, or
- (b) an improvement to the property that has the effect of increasing the assessed value of the property by at least 25 per cent.

17. The Town of Midland shall, effective January 1, 1998, be divided into three wards as described in Schedule C and shall elect three members from ward one, three members from ward two and one member from ward three.

18. (1) The Town of Penetanguishene shall, effective January 1, 1998, be divided into two wards and elect the number of members from each ward as is set out in this section.

(2) Ward one shall be composed of the land that composed Ward One on December 31, 1997 and three councillors shall be elected to represent that ward.

(3) Ward two shall be composed of the land that composed Ward two on December 31, 1997 together with the land in the annexed area in Schedule A and four councillors shall be elected to represent that ward.

19. (1) The Township of Tay shall, effective January 1, 1998, be divided into three wards and elect the number of councillors set out in this section.

(2) Ward one shall be composed of the land that composed Ward one on December 31, 1997 and two councillors shall be elected to represent the ward.

(3) Ward two shall be composed of the land that composed Ward two on December 31, 1997 and two councillors shall be elected to represent the ward.

(4) Ward three shall be composed of the land that composed Ward three on December 31, 1997 and one councillor shall be elected to represent the ward.

20. For all purposes, the 1997 regular municipal election in the Town of Midland, Town of Penetanguishene and the Township of Tay shall be conducted as if the annexations under this Regulation had already occurred and sections 17, 18 and 19 were already in effect.

21. (1) The terms of office of the members of the councils of the Town of Midland, Town of Penetanguishene and the Township of Tay organized following the 1994 regular municipal election are extended until December 31, 1997.

(2) The term of appointment of a person who, on November 30, 1997, is an appointee of the council of the Town of Midland, Town of Penetanguishene or the Township of Tay is extended until December 31, 1997.

22. (1) The terms of office of the members of the councils of the Town of Midland, Town of Penetanguishene and the Township of Tay organized following the 1997 regular municipal election shall be two years and 11 months commencing January 1, 1998.

(2) The first meetings of the council of the towns of Midland and Penetanguishene and the Township of Tay shall be held not later than January 10, 1998.

(3) The mayors and deputy mayors of the towns and the township shall be sworn in as members of the council of the County of Simcoe at the first meeting of the County Council in 1998 at which they attend for that purpose after the councils of the towns and the township have been organized.

(4) County Council shall not proceed with any business at the meeting described in subsection (3) until the mayors and deputy mayors take their seats.

23. The Town of Midland, Town of Penetanguishene and the Township of Tay shall receive grants under section 28 of the *County of Simcoe Act, 1993* as if the annexation under this Regulation had occurred on January 1, 1994.

24. The agreement between The Corporation of the Town of Midland, The Corporation of the Town of Penetanguishene and The Corporation of the Township of Tay dated January 26, 1994 is hereby given effect.

#### Schedule A

#### PORTION OF THE TOWNSHIP OF TAY TO BE ANNEXED TO THE TOWN OF PENETANGUISHENE

Beginning at the intersection of the high water mark of Severn Sound and the easterly prolongation of the centre line of Sempresca Road as shown on a Plan registered in the Land Registry Office for the Registry Division of Simcoe (No. 51) as Number 69;



Thence westerly to and along the centre line of the road to the centre line of the road allowance between Concession III East of Penetang Road and Concession II East of Penetang Road;

Thence northerly along the centre line of the road allowance to the easterly prolongation of the northerly limit of Lot 114 in the said Concession II;

Thence westerly to and along the northerly limit of Lot 114 and the westerly prolongation thereof to the easterly boundary of the Town of Penetanguishene;

Thence northerly following the easterly boundary of the Town of Penetanguishene to the high water mark of the Severn Sound;

Thence westerly and southerly following the northerly and westerly boundaries of the Town of Penetanguishene to the northerly prolongation of the westerly limit of Concession I East of Penetang Road, said point being in Penetang Harbour;

Thence northerly following the easterly boundary of the Town of Penetanguishene along the northerly prolongation to the middle of Penetang Harbour;

Thence northeasterly following the boundary of the Town of Penetanguishene in the middle of Penetang Harbour to the southeasterly boundary of the Township of Tiny;

Thence northeasterly along the middle of Penetang Harbour and the middle of Severn Sound following the boundary between the Township of Tiny and the Township of Tay to a point being distant 1.1 kilometres more or less measured due west from the southerly point of Beausoleil Island, said point being the most northerly angle of the Township of Tay;

Thence southeasterly following the northerly boundary of the Township of Tay to a point in Severn Sound being distant 0.4 kilometres more or less measured due north from the most northerly point of Snake Island;

Thence southwesterly in a straight line to the place of beginning on the high water mark of the Severn Sound.

#### Schedule B

##### PORTION OF THE TOWNSHIP OF TAY TO BE ANNEXED TO THE TOWN OF MIDLAND

Beginning at the intersection of the southerly boundary of the Town of Midland and the high water mark of the Wye River;

Thence easterly along the easterly prolongation of the southerly boundary of the Town of Midland to the middle of the Wye River;

Thence northerly along the middle of the Wye River to the mouth of the Wye River where it enters into the Severn Sound;

Thence north  $31^{\circ}27'$  west 2.2 kilometres to a point in the Severn Sound;

Thence north  $58^{\circ}33'$  east 5.2 kilometres more or less to the westerly extremity of the northerly boundary of the Township of Tay as described in subsection 8 (3) of the Territorial Division Act R.S.O. 1990 Chapter T.5;

Thence northwesterly following the northerly boundary of the Township of Tay to a point in Severn Sound being distant 0.4 kilometres more or less measured due north from the most northerly point of Snake Island;

Thence southwesterly in a straight line to the intersection of the high water mark of Severn Sound and the easterly prolongation of the centre line of Sempresca Road as shown on a Plan registered in the Land Registry Office for the Registry Division of Simcoe (No. 51) as Number 69;

Thence westerly to and along the centre line of the Road to the centre line of the road allowance between Concession III East of Penetang Road and Concession II East of Penetang Road;

Thence northerly along the centre line of the road allowance to the easterly prolongation of the northerly limit of Lot 114 in Concession II;

Thence westerly to and along the northerly limit of Lot 114 and the westerly prolongation thereof to the easterly boundary of the Town of Penetanguishene;

Thence southerly along the easterly boundary of the Town of Penetanguishene to the southeasterly angle thereof;

Thence westerly along the southerly boundary of the Town of Penetanguishene to the northwesterly angle of Lot 113 in Concession I East of Penetang Road in the Township of Tay, said point being in the easterly boundary of the Town of Midland;

Thence southerly and easterly following the boundaries of the Town of Midland to the place of beginning.

#### Schedule C

##### WARD BOUNDARY DESCRIPTIONS

##### WARD ONE

The part of the Town of Midland lying west of the centre line of the road allowance between Concessions One and Two, formerly in the Township of Tay and now in the Town of Midland, and partly known as King Street, save and except for those properties bounded by Bay Street on the south to Fourth Street, then Fourth Street on the west to Ottawa Street, then Ottawa Street on the south to Eighth Street, then Eighth Street on the west to Victoria Street, then Victoria Street on the south to Penetanguishene Road, then Penetanguishene Road on the west to the southern limit of the Corporate boundary of the Town of Penetanguishene, then the Town of Penetanguishene boundary to Fuller Avenue on the east, and then the southern projection of Fuller Avenue/King Street to the point of intersection of King Street and Bay Street, and including all of those lands formerly in the Township of Tiny and described as Parts of Lots 99 to 113, inclusive, in the First Concession, Old Survey.

##### WARD TWO

The part of the Town of Midland lying east of the centre line of the road allowance between Concessions One and Two, formerly in the Township of Tay and now in the Town of Midland, and partly known as King Street, save and except for those lands lying south of Portage Park Road to east of Fuller Avenue and then the southerly projection of Fuller Avenue to the southern water lot limit in Lot 109 (former Township of Tay), and then northwest of the water lot/Corporate boundary limit to the point of intersection at Portage Park Road.

##### WARD THREE

The part of the Town of Midland, formerly in the Township of Tay and lying south of the Corporate boundary of the Town of Penetanguishene and bounded by the Penetanguishene Road on the west to Victoria Street and then to Victoria Street on the south to Eighth Street, and then Eighth Street on the west to Ottawa Street, and then Ottawa Street on the south to Fourth Street, and then Fourth Street on the west to Bay Street, then Bay Street on the south to King Street, and then north along the projection of King Street to the southern water lot limit in Lot 109,

formerly the Township of Tay, and then north west of the water lot/Corporate boundary limit to Portage Park Road, and then following the shoreline to the extension of the road allowance between Lots 54 to 63A inclusive and Lots 64 to 73 inclusive on ORDINANCE PLAN 69 (Camp Simpresca Road) and including Snake Island.

1/97

**ONTARIO REGULATION 549/96**  
made under the  
**SECURITIES ACT**

Made: December 11, 1996

Filed: December 18, 1996

Amending Reg. 1015 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 1015 has been amended by Ontario Regulation 13/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Section 46 of Regulation 1015 of the Revised Regulations of Ontario, 1990 is amended by inserting after "requires" in the first line "or it is otherwise permitted or required by the rule entitled

**National Instrument 13-101—System for Electronic Document Analysis and Retrieval (SEDAR)".**

2. Section 50 of the Regulation is amended by adding at the beginning "Except as otherwise permitted or required by the rule entitled National Instrument 13-101—System for Electronic Document Analysis and Retrieval (SEDAR)".

3. The Regulation is amended by adding the following part:

**PART XV**  
**ELECTRONIC FILING**

246. Despite the requirement for manual or facsimile signatures in section 11, subsection 12 (8) and sections 64, 93, 161 and 181, a document to be filed in electronic format under the rule entitled National Instrument 13-101—System for Electronic Document Analysis and Retrieval (SEDAR) that is subject to any of those provisions shall be signed in the manner required under that rule.

247. Despite the requirement to file in duplicate or triplicate in subsections 6 (1) and 12 (1), sections 67 and 68, subsection 69 (1) and section 203, a document to be filed in electronic format under the rule entitled National Instrument 13-101—System for Electronic Document Analysis and Retrieval (SEDAR) that is subject to any of those provisions shall be filed in the manner required under that rule.

1/97

**ONTARIO REGULATION 550/96**  
made under the  
**POLICE SERVICES ACT**

Made: December 19, 1996

Filed: December 20, 1996

**VIOLENT CRIME LINKAGE ANALYSIS SYSTEM**  
**REPORTS**

1. In this Regulation,

"ViCLAS" means the Violent Crime Linkage Analysis System.

2. (1) Every police officer who is in charge of an investigation shall, within 30 days of the start of the investigation, complete and submit one or more ViCLAS Crime Analysis Reports, in the form prepared by the Royal Canadian Mounted Police and in accordance with the established standards of ViCLAS.

(2) Every police officer who is in charge of an investigation shall update a ViCLAS Crime Analysis Report that was submitted under subsection (1) within 30 days of a material change or of acquiring information that is significant to the investigation, in accordance with the established standards of ViCLAS.

(3) Subsections (1) and (2) apply only to the following types of investigations:

1. Homicide or attempted homicide, solved or unsolved.
2. Sexual assault, solved or unsolved.
3. Missing person, where the circumstances indicate a strong possibility of foul play and the person remains missing.

**RÈGLEMENT DE L'ONTARIO 550/96**  
pris en application de la  
**LOI SUR LES SERVICES POLICIERS**

pris le 19 décembre 1996  
déposé le 20 décembre 1996

**FORMULAIRES DU SYSTÈME D'ANALYSE DES**  
**LIENS ENTRE LES CRIMES DE VIOLENCE**

1. La définition qui suit s'applique au présent règlement.

«SALCV» Le Système d'analyse des liens entre les crimes de violence.

2. (1) L'agent de police qui est chargé d'une enquête remplit et soumet, dans les 30 jours du début de l'enquête, un ou plusieurs formulaires d'analyse du crime SALCV, rédigés selon le modèle établi par la Gendarmerie royale du Canada et conformément aux normes établies du SALCV.

(2) L'agent de police qui est chargé d'une enquête met à jour, conformément aux normes établies du SALCV, le formulaire d'analyse du crime SALCV qui a été soumis aux termes du paragraphe (1) au plus tard 30 jours après qu'un changement important est survenu ou que des renseignements significatifs relativement à l'enquête ont été obtenus.

(3) Les paragraphes (1) et (2) ne s'appliquent qu'aux types d'enquêtes suivants :

1. L'homicide ou la tentative de meurtre, que l'auteur du crime ait été trouvé ou non.
2. L'agression sexuelle, que l'auteur du crime ait été trouvé ou non.
3. La disparition d'une personne, lorsque les circonstances dans lesquelles la disparition s'est produite sont très suspectes et que la personne n'a pas été retrouvée.



4. Unidentified body, where the manner of death is known, or suspected, to be homicide.
5. Non-parental abduction or attempted non-parental abduction.
6. A type of investigation that is added to the submission criteria of ViCLAS and is designated by the Solicitor General and Minister of Correctional Services.

(4) The ViCLAS Crime Analysis Reports shall be submitted to any ViCLAS centre that is designated by the Solicitor General and Minister of Correctional Services.

3. (1) Every chief of police shall prepare and submit to the Solicitor General and Minister of Correctional Services,

- (a) an annual report setting out the number of ViCLAS Crime Analysis Reports, excluding amended reports, submitted by the police force in the previous year; and
- (b) such other information requested by the Solicitor General and Minister of Correctional Services for audit and policy purposes.

(2) The first annual report shall be submitted on January 1, 1998.

4. This Regulation comes into force on February 15, 1997.

4. Un corps non identifié a été trouvé, lorsqu'on sait ou soupçonne qu'il s'agit d'un homicide.
5. L'enlèvement ou la tentative d'enlèvement par une personne autre que les parents.
6. Tout type d'enquêtes qui est ajouté à la liste des critères de soumission du SALCV et que désigne le solliciteur général et ministre des Services correctionnels.

(4) Les formulaires d'analyse du crime SALCV sont soumis à tout centre SALCV que désigne le solliciteur général et ministre des Services correctionnels.

3. (1) Le chef de police prépare et présente au solliciteur général et ministre des Services correctionnels :

- a) d'une part, un rapport annuel dans lequel est indiqué le nombre de formulaires d'analyse du crime SALCV, à l'exclusion des formulaires modifiés, qui ont été soumis par le corps de police au cours de l'année précédente;
- b) d'autre part, tous autres renseignements que demande le solliciteur général et ministre des Services correctionnels aux fins de vérification et des politiques.

(2) Le premier rapport annuel est présenté le 1<sup>er</sup> janvier 1998.

4. Le présent règlement entre en vigueur le 1<sup>er</sup> janvier 1997.

1/97

# ONTARIO REGULATION 551/96 made under the INSURANCE ACT

Made: December 19, 1996  
Filed: December 20, 1996

Amending O. Reg. 403/96  
(Statutory Accident Benefits Schedule—  
Accidents on or after November 1, 1996)

Note: Ontario Regulation 403/96 has been amended by Ontario Regulations 462/96 and 505/96.

1. Section 27 of Ontario Regulation 403/96 is amended by adding the following subsection:

(3.1) If a person purchases an optional benefit referred to in subsection (1), the insurer shall issue to the person the endorsement set out in Ontario Policy Change Form 47 (OPCF 47), as approved by the Commissioner on December 3, 1996 under section 227 of the *Insurance Act*.

1/97

# RÈGLEMENT DE L'ONTARIO 551/96 pris en application de la LOI SUR LES ASSURANCES

pris le 19 décembre 1996  
déposé le 20 décembre 1996

modifiant le Règl. de l'Ont. 403/96  
(Annexe sur les indemnités d'accident légales —  
accidents survenus le 1<sup>er</sup> novembre 1996 ou après ce jour)

Remarque : Le Règlement de l'Ontario 403/96 a été modifié par les Règlements de l'Ontario 462/96 et 505/96.

1. L'article 27 du Règlement de l'Ontario 403/96 est modifié par adjonction du paragraphe suivant :

(3.1) Si une personne souscrit une indemnité optionnelle visée au paragraphe (1), l'assureur lui délivre l'avenant énoncé dans la formule de modification de police de l'Ontario 47 (FMPO 47), telle qu'elle a été approuvée par le commissaire le 3 décembre 1996 en vertu de l'article 227 de la *Loi sur les assurances*.

**ONTARIO REGULATION 552/96**  
made under the  
**PUBLIC HOSPITALS ACT**

Made: December 16, 1996  
Approved: December 19, 1996  
Filed: December 20, 1996

Amending Reg. 965 of R.R.O. 1990  
(Hospital Management)

Note: Since January 1, 1996, Regulation 965 has been amended by Ontario Regulation 106/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Regulation 965 of the Revised Regulations of Ontario, 1990 is amended by adding the following sections:**

**HOSPITAL FOUNDATIONS AND HOSPITAL SUBSIDIARIES**

35. (1) For the purposes of subsection 32 (4) of the Act,

"hospital foundation" means a trust, corporation or other organization, other than a hospital, that is a registered charity under the *Income Tax Act* (Canada) and that, during its most recently completed taxation year,

- (a) was, at any time, designated under the *Income Tax Act* as a registered charity associated with another registered charity that was a hospital,
- (b) received one or more gifts having an aggregate value of more than \$100,000 from one or more hospitals or hospital foundations,
- (c) subject to subsection (3), made expenditures and gifts for the benefit of one or more hospitals or hospital foundations in an amount that was greater than 50 per cent of the value of its total expenditures and gifts for the taxation year, or
- (d) subject to subsection (3), had, as its principal object, the object of benefitting one or more hospitals or hospital foundations, whether the object was express or implied;

"hospital subsidiary" means a corporation that is controlled directly or indirectly in any manner by one or more hospitals.

(2) A trust, corporation or organization that is otherwise a hospital foundation under clause (c) or (d) of the definition of "hospital foundation" in subsection (1) is not a hospital foundation for the purposes of subsection 32 (4) of the Act if it is a private foundation as defined in subsection 149.1 (1) of the *Income Tax Act* (Canada).

**DISSOLUTION OF HOSPITAL CORPORATIONS**

36. A corporation that owns or operates a hospital or that has previously owned or operated a hospital shall not take any action that

may result in the dissolution of the corporation unless the Minister approves of the action.

DAVID JOHNSON  
Minister of Health

Dated at Toronto on December 16, 1996.

1/97

**ONTARIO REGULATION 553/96**  
made under the  
**PUBLIC HOSPITALS ACT**

Made: December 16, 1996  
Filed: December 20, 1996

**FINANCIAL REPORTS BY  
HOSPITAL FOUNDATIONS**

1. (1) Every hospital foundation and every hospital subsidiary shall provide a copy of its most recent audited annual financial statements to the Minister,

- (a) within 30 days after this Regulation is published in the Ontario Gazette;
- (b) on or before June 30, 1997, if more recent audited annual financial statements have become available since the copy was provided under clause (a); and
- (c) on or before June 30 of each year after 1997.

(2) A hospital foundation shall include with its financial statements a list indicating the name of every person, group of persons, organization or other body who, during the taxation year to which the financial statements relate, has received \$50,000 or more, or assets with a value of \$50,000 or more, from the foundation for no consideration or for consideration that is substantially less than the amount of money or the value of the assets at the time of the transfer.

(3) A hospital foundation shall include in the list referred to in subsection (2) the amount of money and the value of the assets received by each person, group of persons, organization or other body whose name appears on the list.

DAVID JOHNSON  
Minister of Health

Dated at Toronto on December 16, 1996.

1/97



**ONTARIO REGULATION 554/96**made under the  
**COURTS OF JUSTICE ACT**Made: December 9, 1996  
Approved: December 19, 1996  
Filed: December 20, 1996Amending Reg. 194 of R.R.O. 1990  
(Rules of Civil Procedure)

Note: Since January 1, 1996, Regulation 194 has been amended by Ontario Regulations 60/96, 61/96, 175/96, 332/96, 333/96 and 536/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario 1995.

**1. Subrule 61.13 (2.1) of Regulation 194 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

(2.1) Where no transcript of evidence is required for the appeal and the appellant has not perfected it within the time prescribed by subrule 61.09 (1) or by an order of the appellate court or a judge of that court, the Registrar may serve notice on the appellant that the appeal will be dismissed for delay unless it is perfected within 10 days after service of the notice.

**2. This Regulation comes into force on February 17, 1997.**

1/97

**ONTARIO REGULATION 555/96**made under the  
**COURTS OF JUSTICE**Made: December 9, 1996  
Approved: December 19, 1996  
Filed: December 20, 1996Amending Reg. 194 of R.R.O. 1990  
(Rules of Civil Procedure)

Note: Since January 1, 1996, Regulation 194 has been amended by Ontario Regulations 60/96, 61/96, 175/96, 332/96, 333/96, 536/96 and 554/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

**1. Subrule 3.02 (4) of Regulation 194 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

***Consent in Writing***

(4) A time prescribed by these rules for serving, filing or delivering a document may be extended or abridged by consent in writing, except as provided in subrule 77.01 (4) (no extension by consent in case management).

**2. The Regulation is amended by adding the following Rule:**

**RÈGLEMENT DE L'ONTARIO 554/96**pris en application de la  
**LOI SUR LES TRIBUNAUX JUDICIAIRES**pris le 9 décembre 1996  
approuvé le 19 décembre 1996  
déposé le 20 décembre 1996modifiant le Règl. 194 des R.R.O. de 1990  
(Règles de procédure civile)

Remarque : Depuis le 1<sup>er</sup> janvier 1996, le Règlement 194 a été modifié par les Règlements de l'Ontario 60/96, 61/96, 175/96, 332/96, 333/96 et 536/96. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

**1. Le paragraphe 61.13 (2.1) du Règlement 194 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :**

(2.1) Si aucune transcription de la preuve n'est nécessaire à l'appel et que l'appellant n'a pas mis l'appel en état dans le délai prescrit par le paragraphe 61.09 (1) ou par une ordonnance du tribunal d'appel ou d'un juge de ce tribunal, le greffier peut signifier à l'appellant un avis indiquant que l'appel sera rejeté pour cause de retard s'il n'est pas mis en état dans les 10 jours qui suivent la signification de l'avis.

**2. Le présent règlement entre en vigueur le 17 février 1997.**

**RÈGLEMENT DE L'ONTARIO 555/96**pris en application de la  
**LOI SUR LES TRIBUNAUX JUDICIAIRES**pris le 9 décembre 1996  
approuvé le 19 décembre 1996  
déposé le 20 décembre 1996modifiant le Règl. 194 des R.R.O. de 1990  
(Règles de procédure civile)

Remarque : Depuis le 1<sup>er</sup> janvier 1996, le Règlement 194 a été modifié par les Règlements de l'Ontario 60/96, 61/96, 175/96, 332/96, 333/96, 536/96 et 554/96. Pour les modifications antérieures, voir la Table des Règlements qui figure dans les Lois de l'Ontario de 1995.

**1. Le paragraphe 3.02 (4) du Règlement 194 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :**

***Consentement écrit***

(4) Le délai prescrit par les présentes règles pour la signification, le dépôt ou la remise d'un document peut être prorogé ou abrégé par consentement écrit, à l'exception de ce que prévoit le paragraphe 77.01 (4) (aucune prorogation par consentement dans le cadre de la gestion des causes).

**2. Le Règlement est modifié par adjonction de la Règle suivante :**

**RULE 77 CIVIL CASE MANAGEMENT****APPLICATION AND INTERPRETATION****Scope**

- 77.01** (1) This Rule applies to actions and applications,
- (a) commenced in a county named in the Schedule to this rule on or after the date specified in the Schedule for the county; and
  - (b) commenced in the Municipality of Metropolitan Toronto on or after December 2, 1991 and randomly assigned to case management by the registrar, acting under the direction of the regional senior judge.

**Exception**

- (2) This Rule does not apply to,
- (a) actions or applications to which the Toronto Family Case Management Rules apply;
  - (b) actions or applications of the type referred to in paragraphs 1 to 4 of subrule 1.01 (1) of the Toronto Family Case Management Rules that are commenced in the Regional Municipality of Ottawa-Carleton on or after January 2, 1997;
  - (c) actions or applications placed on the Commercial List established by practice direction in the Toronto Region;
  - (d) actions or applications under Rules 74 and 75 and those to be heard by the Estates Court in the Toronto Region;
  - (e) actions under the *Construction Lien Act*; and
  - (f) actions or applications under the *Bankruptcy and Insolvency Act* (Canada);

**Conflict with Other Rules**

(3) In the event of conflict between a provision of Rules 1 to 76 and a provision of this Rule, the latter prevails.

**Time**

(4) A time prescribed in Rules 1 to 76 or this Rule may be extended only by order of the court.

**Place of Hearing of Motions**

(5) Rule 37.03 (place of hearing of motions) does not apply to a proceeding governed by this Rule and all motions shall be heard in the county where the proceeding was commenced, unless the court orders otherwise.

**Schedule**

Regional Municipality of Ottawa-Carleton      January 2, 1997

**PURPOSE**

**77.02** The purpose of this Rule is to establish a case management system throughout Ontario that reduces unnecessary cost and delay in civil litigation, facilitates early and fair settlements and brings proceedings expeditiously to a just determination while allowing sufficient time for the conduct of the proceeding.

**RÈGLE 77 GESTION DES CAUSES CIVILES****CHAMP D'APPLICATION ET INTERPRÉTATION****Champ d'application**

- 77.01** (1) La présente Règle s'applique aux actions et aux requêtes :
- a) introduites dans les comtés mentionnés dans l'annexe à la présente règle, à compter de la date indiquée dans l'annexe pour chacun d'eux;
  - b) introduites dans la municipalité de la communauté urbaine de Toronto à compter du 2 décembre 1991 et qui sont affectées au hasard au système de gestion des causes par le greffier, qui agit selon les directives du juge principal régional.

**Exception**

- (2) La présente Règle ne s'applique pas aux actions et aux requêtes suivantes :
- a) les actions et les requêtes auxquelles s'appliquent les Règles de gestion des causes en droit de la famille de Toronto;
  - b) les actions et les requêtes appartenant aux catégories visées aux dispositions 1 à 4 du paragraphe 1.01 (1) des Règles de gestion des causes en droit de la famille de Toronto qui sont introduites dans la municipalité régionale d'Ottawa-Carleton le 2 janvier 1997 ou par la suite;
  - c) les actions et les requêtes inscrites au rôle commercial établi par une directive de pratique pour la région de Toronto;
  - d) les actions et les requêtes visées aux Règles 74 et 75 et celles qui doivent être entendues par la Cour des successions dans la région de Toronto;
  - e) les actions intentées en vertu de la Loi sur le privilège dans l'industrie de la construction;
  - f) les actions et les requêtes visées par la Loi sur la faillite et l'insolvabilité (Canada).

**Incompatibilité avec d'autres règles**

(3) Toute disposition de la présente Règle l'emporte sur une disposition incompatible des Règles 1 à 76.

**Délais**

(4) Les délais prescrits par les Règles 1 à 76 ou par la présente Règle ne peuvent être prorogés que sur ordonnance du tribunal.

**Lieu de l'audition des motions**

(5) La règle 37.03 (lieu de l'audition des motions) ne s'applique pas à l'instance régie par la présente Règle et toutes les motions sont entendues dans le comté où l'instance a été introduite, sauf ordonnance contraire du tribunal.

**Schedule**

Municipalité régionale d'Ottawa-Carleton      2 janvier 1997

**OBJET**

**77.02** La présente Règle a pour objet de mettre sur pied un système de gestion des causes partout en Ontario qui réduise les frais et les retards inutiles dans les affaires civiles, qui favorise les transactions rapides et équitables et qui assure de façon expéditive la résolution équitable des instances tout en accordant suffisamment de temps pour leur déroulement.



**DEFINITIONS**

**77.03** (1) In rules 77.03 to 77.17,

“case management judge” means the judge or a member of a team of judges assigned to manage a proceeding; (“juge responsable de la gestion de la cause”)

“case management master” means a person appointed by the Lieutenant Governor in Council under section 86.1 of the *Courts of Justice Act*; (“protonotaire responsable de la gestion de la cause”)

“defence” includes a notice of defence (Form 77B), a statement of defence, a notice of appearance and a notice of motion in response to a proceeding; (“défense”)

“defendant” includes a respondent; (“défendeur”)

“plaintiff” includes an applicant; (“demandeur”)

“timetable” means an order of a case management judge or case management master establishing a schedule for the completion of any step required to advance the proceeding, including delivery of affidavits of documents, examinations under oath, where available, or motions; (“calendrier”)

“track” means either the fast track or the standard track provided by this Rule. (“voie”)

**CASE MANAGEMENT MASTER**

**77.04** (1) A case management master has,

(a) the power to hear motions that are within the jurisdiction of a master under subrule 37.02 (2); and

(b) case management powers and duties provided by this Rule.

(2) Under the direction of the case management judge, a case management master may manage any proceeding to which this Rule applies.

**OTHER MATTERS*****File Number for Third and Subsequent Party Claims***

**77.05** (1) Third and subsequent party claims shall be given the same file number as the main action, followed by a suffix letter.

***Format of Documents***

(2) The forms prescribed in this Rule and notices, certificates and orders referred to in it may be single spaced, may bear the short title of the proceeding and need not have a backsheet.

**COMMENCEMENT OF PROCEEDING*****Notice of Commencement of Proceeding***

**77.06** (1) A plaintiff shall complete and attach a notice of commencement of proceeding (Form 77A) to every originating process and shall serve it with the originating process.

(2) The plaintiff's solicitor shall give a copy of the originating process and the notice of commencement of proceeding to the plaintiff immediately after the originating process is issued.

**DÉFINITIONS**

**77.03** Les définitions qui suivent s'appliquent aux règles 77.03 à 77.17.

«calendrier» Échéancier fixé par ordonnance du juge responsable de la gestion de la cause ou du protonotaire responsable de la gestion de la cause pour la prise de toute mesure nécessaire au déroulement de l'instance, notamment la remise des affidavits de documents, les interrogatoires sous serment, le cas échéant, ou les motions. («timetable»)

«défendeur» S'entend en outre d'un intimé. («defendant»)

«défense» S'entend en outre d'un avis de défense (formule 77B), d'une défense visée à la Règle 18, d'un avis de comparution et d'un avis de motion en réponse à un acte introductif d'instance. («defence»)

«demandeur» S'entend en outre d'un requérant. («plaintiff»)

«juge responsable de la gestion de la cause» Le juge ou un membre d'une équipe de juges qui est affecté à la gestion d'une instance. («case management judge»)

«protonotaire responsable de la gestion de la cause» Personne nommée par le lieutenant-gouverneur en conseil en vertu de l'article 86.1 de la *Loi sur les tribunaux judiciaires*. («case management master»)

«voie» La voie accélérée ou la voie ordinaire, selon le cas, que prévoit la présente Règle. («track»)

**PROTONOTAIRE RESPONSABLE DE LA GESTION DE LA CAUSE**

**77.04** (1) Le protonotaire responsable de la gestion de la cause exerce les pouvoirs et fonctions suivants :

a) le pouvoir d'entendre les motions qui relèvent de la compétence du protonotaire aux termes du paragraphe 37.02 (2);

b) les pouvoirs et les fonctions que prévoit la présente Règle à l'égard de la gestion des causes.

(2) Un protonotaire responsable de la gestion de la cause peut, sous la supervision du juge responsable de la gestion de la cause, gérer toute instance à laquelle s'applique la présente Règle.

**AUTRES QUESTIONS*****Numéro de dossier des mises en cause***

**77.05** (1) Le numéro de dossier des mises en cause est le même que celui de l'action principale, sauf qu'il est suivi d'une lettre.

***Présentation des documents***

(2) Les formules prescrites par la présente Règle ainsi que les avis, certificats et ordonnances visés par celle-ci peuvent être à simple interligne et porter l'intitulé abrégé de l'instance. Il n'est pas nécessaire qu'ils comportent de feuille arrière.

**INTRODUCTION DE L'INSTANCE*****Avis d'introduction d'instance***

**77.06** (1) Le demandeur remplit un avis d'introduction d'instance (formule 77A) et le joint à l'acte introductif d'instance. Il signifie l'avis d'introduction d'instance avec l'acte introductif d'instance.

(2) Le procureur du demandeur remet à celui-ci une copie de l'acte introductif d'instance et de l'avis d'introduction d'instance immédiatement après la délivrance de l'acte introductif d'instance.

**When Originating Process to be Filed**

(3) Despite subrule 14.07 (2) (issuing originating process), when an originating process is issued only the notice of commencement of proceeding shall be filed, not a copy of the originating process.

(4) An originating process shall not be filed until some further step, other than the filing of a notice of discontinuance, is taken in the proceeding.

**Choice of Track**

(5) On filing the notice of commencement of proceeding, the plaintiff shall choose the fast track or the standard track for the proceeding.

(6) In choosing a track, the plaintiff shall have regard to all relevant considerations, including,

- (a) the complexity of the issues of fact or law;
- (b) the likely expense to the parties;
- (c) the importance to the public of the issues of fact or law;
- (d) the number of parties or prospective parties;
- (e) the amount of intervention by the case management judge that the proceeding is likely to require; and
- (f) the time required for proper discovery, if applicable, and preparation for trial or hearing.

**Track Chosen by Plaintiff**

(7) The proceeding shall proceed on the track chosen by the plaintiff unless the court orders otherwise.

**Simplified Procedure Actions**

(8) Despite subrules (5) to (7), actions governed by the simplified procedure provided by Rule 76 shall proceed on the fast track.

**Requisition of Originating Process by Person Not a Party**

(9) Any person who is not a party to a proceeding may file a requisition in the court office in which the proceeding was commenced requesting a copy of an originating process.

(10) Upon receipt of the requisition referred to in subrule (9), the registrar shall require a plaintiff to file a copy of the originating process.

**CHANGE OF TRACK**

**77.07** (1) A case management judge or case management master may order that a proceeding be transferred from one track to the other.

(2) A party who seeks an order under subrule (1) shall move for the order,

- (a) in the case of an action, before the close of pleadings;
- (b) in the case of an application, on or before the tenth day after the first affidavit has been filed by a respondent.

(3) On a motion under subrule (1), a case management judge or case management master shall have regard to the matters set out in subrule 77.06 (6).

**Moment où l'acte introductif d'instance doit être déposé**

(3) Malgré le paragraphe 14.07 (2) (délivrance de l'acte introductif d'instance), lorsqu'un acte introductif d'instance est délivré, seul l'avis d'introduction d'instance est déposé, et non une copie de l'acte introductif d'instance.

(4) L'acte introductif d'instance ne doit être déposé que si une mesure subséquente, autre que le dépôt d'un avis de désistement, est prise dans l'instance.

**Choix d'une voie**

(5) Lorsqu'il dépose l'avis d'introduction d'instance, le demandeur choisit de placer l'instance dans la voie accélérée ou dans la voie ordinaire.

(6) Lorsqu'il choisit une voie, le demandeur tient compte de toutes les considérations pertinentes, notamment :

- a) du degré de complexité des questions de fait et de droit qui sont en litige;
- b) des frais que les parties auront vraisemblablement à supporter;
- c) de l'importance des questions de fait et de droit pour le public;
- d) du nombre des parties ou des parties éventuelles;
- e) de la mesure dans laquelle le juge responsable de la gestion de la cause sera vraisemblablement appelé à intervenir dans l'instance;
- f) du délai requis pour une enquête préalable, s'il y a lieu, et une préparation au procès ou à l'audience adéquates.

**Voie choisie par le demandeur**

(7) Sauf ordonnance contraire du tribunal, l'instance est engagée dans la voie choisie par le demandeur.

**Actions régies par la procédure simplifiée**

(8) Malgré les paragraphes (5) à (7), les actions régies par la procédure simplifiée prévue par la Règle 76 sont engagées dans la voie accélérée.

**Réquisition d'acte introductif d'instance par un tiers**

(9) Quiconque n'est pas partie à l'instance peut déposer au greffe du tribunal où l'instance a été introduite une réquisition pour que soit déposée une copie de l'acte introductif d'instance.

(10) Sur réception de la réquisition prévue au paragraphe (9), le greffier exige du demandeur qu'il dépose une copie de l'acte introductif d'instance.

**CHANGEMENT DE VOIE**

**77.07** (1) Le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause peut ordonner le transfert de l'instance d'une voie à l'autre.

(2) La partie qui veut obtenir l'ordonnance prévue au paragraphe (1) présente une motion à cet effet :

- (a) avant la clôture de la procédure écrite, dans le cas d'une action;
- (b) au plus tard le dixième jour après qu'un intimé a déposé le premier affidavit.

(3) Le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause qui est saisi d'une motion présentée aux termes du paragraphe (1) tient compte des considérations énoncées au paragraphe 77.06 (6).



**DISMISSAL BY REGISTRAR**

**77.08** Where no defence has been filed and the proceeding has not been disposed of by final order or judgment, the registrar shall, 180 days after the date of the originating process, dismiss the proceeding as abandoned.

**DEFENCE OF PROCEEDING***Filing Notice of Defence*

**77.09** (1) A defendant who serves a defence shall complete a notice of defence (Form 77B) and shall serve and file it.

(2) The delivery of a notice of defence under subrule (1) shall be deemed to constitute delivery of a defence for the purpose of rules 19.01 (noting default) and 38.07 (notice of appearance).

*Assignment to Case Management*

(3) On the filing of a defence, the proceeding shall be assigned to a case management judge or team for management in accordance with rules 77.10 to 77.17.

*Filing Defence*

(4) Other than the notice of defence, a defendant shall not file a defence unless it is required for a hearing in the proceeding.

*Requisition of Defence by Person Not a Party*

(5) Any person who is not a party to a proceeding may file a requisition in the court office in which the proceeding was commenced requesting a copy of a defence.

(6) Upon receipt of the requisition referred to in subrule (5), the registrar shall require a defendant to file a copy of the defence.

**FAILURE TO COMPLY WITH TIME REQUIREMENT***Powers of Case Management Judge or Case Management Master*

**77.10** (1) Where a party fails to comply with a time requirement established by these rules, a case management judge or case management master may convene a case conference and at the case conference may,

- (a) create or amend a timetable and order the party to comply with the timetable; and
- (b) order the party or the party's solicitor to pay costs, including solicitor and client costs, fixed and payable forthwith.

*Powers of Case Management Judge*

(2) Where a party fails to comply with a timetable, a case management judge may,

- (a) strike out any document filed by the party;
- (b) dismiss the party's proceeding or strike out the party's defence; or
- (c) make any other order that is just.

**REJET DE L'INSTANCE PAR LE GREFFIER**

**77.08** Si aucune défense n'a été déposée et que l'instance n'a pas fait l'objet d'une ordonnance définitive ou d'un jugement, le greffier rejette l'instance, 180 jours après la délivrance de l'acte introductif, comme s'il s'agissait d'une instance qui a fait l'objet d'un désistement.

**DÉFENSE À L'INSTANCE***Dépôt d'un avis de défense*

**77.09** (1) Le défendeur qui signifie une défense remplit un avis de défense (formule 77B), le signifie et le dépose.

(2) Pour l'application des règles 19.01 (constatation du défaut) et 38.07 (avis de comparution), la remise d'un avis de défense aux termes du paragraphe (1) est réputée constituer une remise de la défense.

*Affectation à la gestion des causes*

(3) Sur dépôt de la défense, un juge responsable de la gestion de la cause ou une équipe est affecté à l'instance afin de la gérer conformément aux règles 77.10 à 77.17.

*Dépôt d'une défense*

(4) Le défendeur ne dépose aucune défense autre que l'avis de défense à moins qu'une autre défense ne soit exigée aux fins d'une audience dans l'instance.

*Réquisition d'une défense par un tiers*

(5) Quiconque n'est pas partie à l'instance peut déposer au greffe du tribunal où l'instance a été introduite une réquisition pour que soit déposée une copie d'une défense.

(6) Sur réception de la réquisition prévue au paragraphe (5), le greffier exige du défendeur qu'il dépose une copie de la défense.

**NON-RESPECT DE DÉLAIS***Pouvoirs du juge responsable de la gestion de la cause ou du protonotaire responsable de la gestion de la cause*

**77.10** (1) Si une partie ne respecte pas un délai établi par les présentes règles, le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause peut convoquer une conférence relative à la cause et peut, à la conférence :

- a) établir un calendrier ou le modifier et ordonner à la partie de le respecter;
- b) ordonner à la partie ou à son procureur d'acquitter les dépens, y compris les dépens procureur-client, qui sont fixés et exigibles sans délai.

*Pouvoirs du juge responsable de la gestion de la cause*

(2) Si une partie ne respecte pas le calendrier, le juge responsable de la gestion de la cause peut :

- a) radier tout document déposé par la partie;
- b) rejeter l'instance introduite par la partie ou radier sa défense;
- c) rendre toute autre ordonnance juste.

**CASE MANAGEMENT POWERS*****Powers Generally***

**77.11** (1) A case management judge or case management master may,

- (a) extend or abridge a time prescribed by an order or the rules;
- (b) transfer a proceeding from one track to the other;
- (c) adjourn a case conference;
- (d) set aside an order made by the registrar; and
- (e) make orders, impose terms and give directions as necessary to carry out the purpose of this Rule.

***Powers on Own Initiative***

(2) The case management judge or case management master may, on his or her own initiative, require a hearing, case conference or conference call to deal with any matter arising in connection with case management, including a failure to comply with the rules.

**MOTIONS*****Informal Motion Procedure***

**77.12** (1) A motion may be made to the case management judge or a case management master, depending on the practical requirements of the situation,

- (a) with or without a notice of motion and supporting material or a motion record;
- (b) by attendance, conference call, telephone call or fax, or in writing.

***Motion without Material***

(2) Where a motion is made without a notice of motion and supporting material or a motion record,

- (a) the moving party's solicitor shall sign and submit a case management motion form (Form 77C) to the court before the motion is heard;
- (b) the responding party's solicitor may sign and submit a case management motion form to the court before the motion is heard;
- (c) the case management judge, case management master or registrar shall record the disposition of the motion on the form;
- (d) no formal order need be prepared, signed or entered unless the case management judge or case management master directs otherwise or unless there is an appeal to an appellate court.

***Confirmation—Opposed Motion***

(3) On an opposed motion that is to be argued other than in writing, the moving party's solicitor shall confirm to the registrar by fax or notice in writing, by 2 p.m. the day before the hearing date, that the motion is to proceed as scheduled, failing which the motion shall not proceed on that date.

**POUVOIRS RELATIFS À LA GESTION DE LA CAUSE*****Pouvoirs généraux***

**77.11** (1) Le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause peut :

- a) proroger ou abréger tout délai prescrit par une ordonnance ou par les règles;
- b) transférer toute instance d'une voie à l'autre;
- c) reporter une conférence relative à la cause;
- d) annuler toute ordonnance rendue par le greffier;
- e) rendre les ordonnances, imposer les conditions et donner les directives nécessaires pour réaliser l'objet de la présente Règle.

***Pouvoirs discrétionnaires***

(2) Le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause peut, de son propre chef, exiger la tenue d'une audience, d'une conférence relative à la cause ou d'une conférence téléphonique pour traiter de toute question soulevée relativement à la gestion de la cause, y compris tout défaut de se conformer aux règles.

**MOTIONS*****Procédure informelle relative aux motions***

**77.12** (1) Une motion peut être présentée au juge responsable de la gestion de la cause ou au protonotaire responsable de la gestion de la cause suivant les besoins pratiques de la situation :

- a) avec ou sans un avis de motion et des documents à l'appui ou un dossier de motion;
- b) en personne, par conférence téléphonique, par appel téléphonique, par télécopie ou par écrit.

***Motion sans documents à l'appui***

(2) Lorsqu'une motion est présentée sans avis de motion ni documents à l'appui ou sans dossier de motion :

- a) le procureur de l'auteur de la motion signe une formule de motion relative à la gestion de la cause (formule 77C) et la présente au tribunal avant l'audition de la motion;
- b) le procureur de la partie intimée peut signer une formule de motion relative à la gestion de la cause et la présenter au tribunal avant l'audition de la motion;
- c) le juge responsable de la gestion de la cause, le protonotaire responsable de la gestion de la cause ou le greffier consignent sur la formule la décision rendue à l'égard de la motion;
- d) il n'est pas nécessaire que soit rédigée, signée ou inscrite une ordonnance officielle, à moins que le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause ne donne une directive contraire ou qu'un appel ne soit interjeté auprès d'une cour d'appel.

***Confirmation — motion contestée***

(3) Sur présentation d'une motion contestée qui doit être débattue autrement que par écrit, le procureur de l'auteur de la motion confirme au greffier par télécopie ou au moyen d'un avis écrit, au plus tard à 14 heures le jour précédant la date de l'audition de la motion, que l'audition de la motion aura lieu comme prévu, à défaut de quoi la motion ne sera pas entendue à la date en question.



**Costs on Motions**

(4) The case management judge or case management master shall, at the conclusion of each motion, address the issue of costs and, where appropriate, fix the costs and order them payable forthwith.

**Motions Dealt With by Registrar**

(5) The registrar shall make an order granting the relief sought on the following motions:

1. A motion for an order on consent, where the consent of all parties is filed, the consent states that no party affected by the order is under disability and the order is for,
  - i. amendment of a pleading, notice of application or notice of motion,
  - ii. addition, deletion or substitution of a party, where the consent of the party is filed,
  - iii. change of or appointment of a solicitor of record,
  - iv. setting aside the noting of a party in default,
  - v. setting aside a default judgment,
  - vi. discharge of a certificate of pending litigation,
  - vii. security for costs in a specified amount,
  - viii. re-attendance of a witness to answer questions on an examination,
  - ix. fulfilment of undertakings given on an examination, or
  - x. dismissal of a proceeding with or without costs.
2. A motion where no responding material is filed, the notice of motion or the case management motion form states that no party affected by the order is under disability and the order is for relief set out in paragraph 1.

**CASE CONFERENCE****How Convened**

**77.13** (1) A case management judge or a case management master may convene a case conference at any time, on his or her own initiative or at a party's request.

**Parties' Attendance**

(2) A case management judge or case management master may direct that the parties, or a representative of the parties responsible for making decisions regarding the proceeding and instructing the solicitor, attend the conference personally.

**Matters to be Dealt With**

(3) At the conference, a case management judge or case management master may,

- (a) identify the issues and note those that are contested and those that are not;
- (b) explore methods to resolve the contested issues;

**Dépens des motions**

(4) À la conclusion de l'audition de chaque motion, le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause se prononce sur les dépens. S'il y a lieu, il fixe les dépens et ordonne leur paiement immédiat.

**Motions dont le greffier est responsable**

(5) Le greffier rend une ordonnance accordant la mesure de redressement demandée sur les motions suivantes :

1. Une motion visant l'obtention d'une ordonnance sur consentement, lorsque le consentement de toutes les parties est déposé et qu'il y est déclaré qu'aucune partie visée par l'ordonnance n'est incapable, et que l'ordonnance vise, selon le cas :
  - i. la modification d'un acte de procédure, d'un avis de requête ou d'un avis de motion,
  - ii. la jonction, la radiation ou la substitution d'une partie, lorsque le consentement de la partie est déposé,
  - iii. le changement de procureur ou la nomination d'un procureur,
  - iv. l'annulation de la constatation de défaut d'une partie,
  - v. l'annulation d'un jugement par défaut,
  - vi. la mainlevée d'un certificat d'affaire en instance,
  - vii. le cautionnement pour dépens d'un montant précis,
  - viii. la présence de nouveau d'un témoin pour qu'il réponde à des questions dans le cadre d'un interrogatoire,
  - ix. le respect d'engagements donnés à un interrogatoire,
  - x. le rejet de l'instance, avec ou sans dépens.
2. Une motion à l'égard de laquelle aucun document de défense n'est déposé, s'il est déclaré dans l'avis de motion ou la formule de motion relative à la gestion de la cause qu'aucune partie visée par l'ordonnance n'est incapable et que l'ordonnance vise l'une ou l'autre des mesures de redressement énoncées à la disposition 1.

**CONFÉRENCE RELATIVE À LA CAUSE****Convocation**

**77.13** (1) Le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause peut, de son propre chef ou à la demande d'une partie, convoquer en tout temps une conférence relative à la cause.

**Présence des parties**

(2) Le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause peut exiger des parties, ou du représentant des parties chargé de prendre des décisions relativement à l'instance et de mandater le procureur, qu'ils assistent en personne à la conférence.

**Questions à traiter**

(3) Lors de la conférence, le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause peut :

- a) déterminer les questions qui sont en litige et noter celles qui sont contestées et celles qui ne le sont pas;
- b) étudier les moyens de résoudre les questions contestées;

- (c) if possible, secure the parties' agreement on a specific schedule of events in the proceeding; and
- (d) review and, if necessary, amend the timetable for the proceeding.

#### **Counsel**

(4) Counsel attending the conference shall have authority to deal with the matters referred to in subrule (3) and shall be fully acquainted with the facts and legal issues.

#### **Powers of Judge**

(5) At the conference, a case management judge may, where appropriate,

- (a) create or amend a timetable for the proceeding;
- (b) make a procedural order;
- (c) on consent of the parties, make an order for interlocutory relief;
- (d) on consent of the parties, refer any issue for alternative dispute resolution;
- (e) convene a settlement conference;
- (f) convene a hearing; and
- (g) give directions.

#### **Powers of Case Management Master**

(6) At the conference, a case management master may, where appropriate,

- (a) create or amend a timetable for the proceeding;
- (b) make such orders and give such directions as this Rule permits a case management master to make or give;
- (c) on consent of the parties, refer any issue for alternative dispute resolution; and
- (d) convene a settlement conference.

#### **Simplified Procedure Actions**

(7) In an action governed by the simplified procedure provided by Rule 76, a case conference may be convened only in conjunction with a settlement conference.

#### **Case Conference Judge Not to Preside at Hearing**

(8) A judge who conducts a case conference shall not preside at the trial of the action or the hearing of the application.

### **SETTLEMENT CONFERENCES**

#### **Scheduled Automatically by Registrar**

**77.14** (1) The registrar shall, on at least 45 days notice to the parties, schedule a settlement conference to take place,

- (a) if the proceeding is on the fast track, not later than 90 days after the first defence is filed;
- (b) if the proceeding is on the standard track, not later than 240 days after the first defence is filed.

(c) obtenir, si possible, l'accord des parties sur un calendrier précis pour le déroulement de l'instance;

(d) examiner et, s'il y a lieu, modifier le calendrier pour le déroulement de l'instance.

#### **Avocats**

(4) Les avocats qui assistent à la conférence ont l'autorité voulue pour traiter des questions visées au paragraphe (3) et doivent connaître à fond les faits et les questions de droit.

#### **Pouvoirs du juge**

(5) Lors de la conférence, le juge responsable de la gestion de la cause peut, s'il y a lieu :

- a) établir ou modifier un calendrier pour le déroulement de l'instance;
- b) rendre des ordonnances relatives à la procédure;
- c) si les parties y consentent, rendre des ordonnances accordant des mesures de redressement provisoires;
- d) si les parties y consentent, soumettre toute question en litige au règlement extrajudiciaire des différends;
- e) convoquer une conférence en vue d'une transaction;
- f) tenir une audience;
- g) donner des directives.

#### **Pouvoirs du protonotaire responsable de la gestion de la cause**

(6) Lors de la conférence, le protonotaire responsable de la gestion de la cause peut, s'il y a lieu :

- a) établir ou modifier un calendrier pour le déroulement de l'instance;
- b) rendre les ordonnances et donner les directives que la présente Règle l'autorise à rendre ou à donner;
- c) si les parties y consentent, soumettre toute question en litige au règlement extrajudiciaire des différends;
- d) convoquer une conférence en vue d'une transaction.

#### **Actions régies par la procédure simplifiée**

(7) Dans une action régie par la procédure simplifiée que prévoit la Règle 76, une conférence relative à la cause ne peut être convoquée que de pair avec une conférence en vue d'une transaction.

#### **Le juge affecté à la conférence relative à la cause ne peut pas présider l'audience**

(8) Le juge qui préside la conférence relative à la cause ne peut pas présider l'instruction de l'action ou l'audition de la requête.

### **CONFÉRENCE EN VUE D'UNE TRANSACTION**

#### **Date de la conférence fixée d'office**

**77.14** (1) Après avoir donné aux parties un préavis d'au moins 45 jours à cet égard, le greffier fixe la date de la conférence en vue d'une transaction, laquelle doit avoir lieu :

- a) dans une instance placée dans la voie accélérée, au plus tard 90 jours après le dépôt de la première défense;
- b) dans une instance placée dans la voie ordinaire, au plus tard 240 jours après le dépôt de la première défense.



**Steps to be Completed Before Conference**

(2) All examinations, production of documents and motions arising out of examinations and production of documents shall be completed before the settlement conference date.

**Parties' Attendance At Settlement Conference**

(3) A case management judge or case management master may direct the parties, or a representative of a party responsible for making decisions in the proceeding and instructing the solicitor, to attend all or part of a settlement conference personally with their counsel.

**Settlement Conference Brief**

(4) Except in actions to which Rule 76 applies, the plaintiff shall deliver not later than 10 days before the settlement conference a settlement conference brief, containing all material the plaintiff considers necessary for the settlement conference, and shall certify that subrule (2) has been complied with.

**Other Parties To Deliver Briefs**

(5) Except in actions to which Rule 76 applies, every other party shall deliver a settlement conference brief containing any other material the party considers necessary for the settlement conference not later than five days before the conference.

**Contents of Brief**

- (6) A settlement conference brief shall contain,
  - (a) a concise summary of the facts, including the agreed upon facts and admissions;
  - (b) where necessary, a concise summary of the issues and the law to be relied upon by each party;
  - (c) a list of witnesses and a summary of each witness's evidence; and
  - (d) the relevant portions only of transcripts, experts' reports and other evidence that may be adduced at trial.

**Trial Date**

(7) At the conference, a case management judge or case management master shall assign a trial or hearing date, or refer the parties to the team leader judge responsible for the assignment of a trial or hearing date.

**Trial Record**

(8) A trial or application record shall be served and filed in accordance with rule 48.02 or subrule 38.09(1) no later than seven days before the trial or hearing date.

**Simplified Procedure Pre-Trial**

(9) A pre-trial conference referred to in rule 76.07 shall be deemed to be a settlement conference for the purpose of this rule.

**Settlement Conference Judge Not to Preside at Hearing**

(10) A judge who conducts a settlement conference shall not preside at the trial of the action or the hearing of the application.

**Mesures à prendre avant la conférence**

(2) Les interrogatoires, la production des documents et les motions découlant des interrogatoires et de la production des documents sont terminés avant la date fixée pour la conférence en vue d'une transaction.

**Présence des parties à la conférence en vue d'une transaction**

(3) Le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause peut exiger des parties, ou du représentant d'une partie chargé de prendre des décisions relativement à l'instance et de mandater le procureur, qu'ils assistent en personne, avec leurs avocats, à la totalité ou à une partie de la conférence en vue d'une transaction.

**Mémoire préparatoire à la conférence en vue d'une transaction**

(4) Sauf dans les actions auxquelles s'applique la Règle 76, le demandeur remet, au plus tard 10 jours avant la conférence en vue d'une transaction, un mémoire préparatoire à cette conférence renfermant tous les documents qu'il estime nécessaires à celle-ci. De plus, le demandeur certifie que le paragraphe (2) a été observé.

**Remise de mémoires par les autres parties**

(5) Sauf dans les actions auxquelles s'applique la Règle 76, chacune des autres parties remet un mémoire préparatoire à la conférence en vue d'une transaction renfermant tous les autres documents qu'elle estime nécessaires à cette conférence, au plus tard cinq jours avant celle-ci.

**Contenu du mémoire**

- (6) Le mémoire préparatoire à la conférence en vue d'une transaction renferme les éléments suivants :
  - a) un résumé concis des faits, y compris des aveux et des faits convenus par les parties;
  - b) s'il y a lieu, un résumé concis des questions en litige et des éléments de droit sur lesquels s'appuie chaque partie;
  - c) une liste des témoins et un résumé du témoignage de chacun d'eux;
  - d) les extraits pertinents seulement des transcriptions, des rapports d'experts et des autres éléments de preuve qui peuvent être produits lors du procès.

**Date du procès**

(7) Lors de la conférence, le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause fixe la date du procès ou de l'audience ou renvoie les parties devant le juge responsable d'une équipe qui est chargé de fixer la date du procès ou de l'audience.

**Dossier d'instruction**

(8) Le dossier d'instruction ou le dossier de requête est signifié et déposé conformément à la règle 48.02 ou au paragraphe 38.09 (1), au plus tard sept jours avant la date du procès ou de l'audience.

**Conférence préparatoire au procès régie par la procédure simplifiée**

(9) Pour l'application de la présente règle, la conférence préparatoire au procès mentionnée à la règle 76.07 est réputée une conférence en vue d'une transaction.

**Le juge affecté à la conférence en vue d'une transaction ne peut pas présider l'audience**

(10) Le juge qui préside la conférence en vue d'une transaction ne peut pas présider l'instruction de l'action ou l'audition de la requête.

**TRIAL MANAGEMENT CONFERENCE*****When Conference to be Held***

**77.15** (1) A trial management conference may be held on or following the setting of a trial date, at the request of one of the parties or on the initiative of the trial judge, case management judge or case management master.

***Submission of Form***

(2) A trial management conference form (Form 77D) shall be submitted by the plaintiff, and may in addition be submitted by a defendant, no later than 14 days before the trial, or four days before the trial management conference, whichever is earlier.

***Powers of Judge or Master***

(3) At the trial management conference, the trial judge, case management judge or case management master may,

- (a) canvass with the parties the names of the witnesses intended to be called and the substance of their testimony;
- (b) explore whether admissions can be made that will facilitate proof of non-contentious matters;
- (c) explore alternative methods of presentation of evidence, such as the filing of affidavits or reports;
- (d) explore with counsel expeditious means for the presentation of evidence; and
- (e) give directions that will facilitate the orderly and expeditious conduct of the trial.

***Simplified Procedure Actions***

(4) In an action governed by the simplified procedure provided by Rule 76, a trial management conference may be convened only in conjunction with a settlement conference.

**CASE MANAGEMENT ADVISORY COMMITTEE**

**77.16** The Chief Justice of the Ontario Court shall appoint an advisory committee composed of such members of the bench, the bar, the Ministry of the Attorney General and the public as are necessary to monitor the operation of this Rule and, where appropriate, to make recommendations for improvement.

**TRANSITION**

**77.17** Despite rule 77.01, the following transitional provisions apply :

1. Where a proceeding has been commenced in a county before the date set out in the Schedule to rule 77.01 for the county and where no defence has been filed as of that date, rule 77.08 applies to the proceeding and the 180 day period described in rule 77.08 begins to run on that date.
2. Where a proceeding has been commenced in a county before the date set out in the Schedule to rule 77.01 for the county and a defence has been filed before that date, the proceeding shall be dismissed by the registrar unless the parties have fixed a date for a settlement conference within 365 days from that date.

**CONFÉRENCE DE GESTION DU PROCÈS*****Date de la conférence***

**77.15** (1) La conférence de gestion du procès peut avoir lieu au moment où la date du procès est fixée ou par la suite, à la demande de l'une des parties ou si le juge du procès, le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause en décide ainsi.

***Présentation d'une formule***

(2) Une formule pour la conférence de gestion du procès (formule 77D) est présentée par le demandeur, et peut également être présentée par le défendeur, au plus tard 14 jours avant le procès ou quatre jours avant la conférence de gestion du procès, selon celle de ces deux dates qui est antérieure à l'autre.

***Pouvoirs du juge ou du protonotaire***

(3) Lors de la conférence de gestion du procès, le juge du procès, le juge responsable de la gestion de la cause ou le protonotaire responsable de la gestion de la cause peut :

- a) examiner avec les parties la liste des noms des témoins qu'elles ont l'intention d'appeler à témoigner et la teneur de leurs témoignages respectifs;
- b) étudier la possibilité d'obtenir des aveux afin de faciliter la preuve de questions non contestées;
- c) envisager le recours à d'autres modes de présentation d'éléments de preuve tels que le dépôt d'affidavits ou de rapports;
- d) envisager avec les avocats des moyens qui permettraient de présenter des éléments de preuve de façon expéditive;
- e) donner des directives qui assureront le déroulement méthodique et expéditif du procès.

***Actions régies par la procédure simplifiée***

(4) Dans une action régie par la procédure simplifiée que prévoit la Règle 76, une conférence de gestion du procès ne peut être convoquée que de pair avec une conférence en vue d'une transaction.

**COMITÉ CONSULTATIF DE GESTION DES CAUSES**

**77.16** Est constitué par le juge en chef de la Cour de l'Ontario un comité consultatif qui se compose du nombre de représentants de la magistrature, du Barreau, du ministère du Procureur général et du public nécessaire pour surveiller l'application de la présente Règle et présenter au besoin des recommandations visant à l'améliorer.

**DISPOSITIONS TRANSITOIRES**

**77.17** Malgré la règle 77.01, les dispositions transitoires suivantes s'appliquent :

1. Si une instance a été introduite dans un comté avant la date indiquée dans l'annexe à la règle 77.01 pour ce comté et qu'aucune défense n'a été déposée à cette date, la règle 77.08 s'applique à l'instance et le délai de 180 jours prévu à la règle 77.08 commence à courir à cette date.
2. Si une instance a été introduite dans un comté avant la date indiquée dans l'annexe à la règle 77.01 pour ce comté et qu'une défense a été déposée avant cette date, l'instance est rejetée par le greffier à moins que, au plus tard 365 jours après cette date, les parties n'aient fixé une date pour la tenue d'une conférence en vue d'une transaction.



3. The Regulation is amended by adding the following Forms:

3. Le règlement est modifié par adjonction des for/  
suivantes :

Form 77A

Court File No.

(Short Title of Proceeding)

## NOTICE OF COMMENCEMENT OF PROCEEDING

An action ☐ or an application ☐ has been commenced by \_\_\_\_\_  
 \_\_\_\_\_ against \_\_\_\_\_. The  
 action/application is for:

collection	<input type="checkbox"/>	construction lien	<input type="checkbox"/>
motor vehicle	<input type="checkbox"/>	negligence	<input type="checkbox"/>
real property	<input type="checkbox"/>	landlord/tenant	<input type="checkbox"/>
contract/commercial	<input type="checkbox"/>	trust/fiduciary duty	<input type="checkbox"/>
wrongful dismissal	<input type="checkbox"/>	medical malpractice	<input type="checkbox"/>
estates	<input type="checkbox"/>	other professional	
		malpractice	<input type="checkbox"/>
bankruptcy	<input type="checkbox"/>	other	<input type="checkbox"/>

The simplified procedure (Rule 76) applies ☐ yes ☐ no  
 Choice of Track ☐ Fast ☐ Standard

Plaintiff's Lawyer:

Defendant's Lawyer:

(or plaintiff if unrepresented)

(or defendant if unrepresented)

Name:

(1) Name:

(2) Name:

Address:

Address:

Address:

Phone:

Phone:

Phone:

Fax:

Fax:

Fax:

Plaintiff's lawyer's Law Society Registration No.

Defendant's lawyer's Law Society Registration No. (if known)

**WARNING:** In accordance with rule 77.08, where no notice of  
 defence has been filed and the proceeding has not been disposed  
 of by final order or judgment, the registrar will, 180 days after  
 the date of the originating process, dismiss the proceeding as  
 abandoned.

**WARNING:** In accordance with rule 77.06, this form must be  
 provided to the litigants.

Formule 77A

N° de dossier du greffe

(intitulé abrégé de l'instance)

**AVIS D'INTRODUCTION D'INSTANCE**

Une action ☐ ou une requête ☐ a été introduite par  
 \_\_\_\_\_ contre \_\_\_\_\_.

Objet de l'action ou de la requête :

recouvrement	<input type="checkbox"/>	privilège dans l'industrie de la construction	<input type="checkbox"/>
véhicule automobile	<input type="checkbox"/>	négligence	<input type="checkbox"/>
biens immeubles	<input type="checkbox"/>	locateur/locataire	<input type="checkbox"/>
contrat/fins		fiducie/obligation de	
commerciales	<input type="checkbox"/>	représentant	<input type="checkbox"/>
renvoi injustifié	<input type="checkbox"/>	faute professionnelle (médecins)	<input type="checkbox"/>
successions	<input type="checkbox"/>	autre faute professionnelle	<input type="checkbox"/>
faillite	<input type="checkbox"/>	autre	<input type="checkbox"/>

Application de la procédure simplifiée (Règle 76) ☐ oui ☐ non

Choix d'une voie ☐ voie accélérée ☐ voie ordinaire

Avocat du demandeur :

(nom du demandeur, s'il n'est pas représenté)

Nom :

Adresse :

N° de téléphone :

N° de télécopieur :

Avocat du défendeur :

(noms du défendeur s'il n'est pas représenté)

(1) Nom :

Adresse :

N° de téléphone :

N° de télécopieur :

(2) Nom :

Adresse :

N° de téléphone :

N° de télécopieur :

N° d'inscription au Barreau de l'avocat du demandeur :

N° d'inscription au Barreau de l'avocat du défendeur (si connu) :



**AVERTISSEMENT:** Conformément à la règle 77.08, si aucune défense n'a été déposée et que l'instance n'a pas fait l'objet d'une ordonnance définitive ou d'un jugement, le greffier rejettera l'instance, 180 jours après la délivrance de l'acte introductif d'instance, comme s'il s'agissait d'une instance qui a fait l'objet d'un désistement.

**AVERTISSEMENT :** Conformément à la règle 77.06, la présente formule doit être fournie aux plaideurs.

Form 77B

Court File No.

(Short Title of Proceeding)

**NOTICE OF DEFENCE**

<b>NAME, ADDRESS, FAX OF PARTY</b>	<b>LAWYER</b>	<b>DOCUMENT SERVED</b>	<b>DATE OF SERVICE</b>

*Note: This form must be filed when the first defence is served.*

**Formule 77B****N° de dossier du greffe**

(intitulé abrégé de l'instance)

**AVIS DE DÉFENSE**

NOM, ADRESSE ET N° DE TÉLÉCOPIEUR DE LA PARTIE	AVOCAT	DOCUMENT SIGNIFIÉ	DATE DE LA SIGNIFICATION

*Remarque : La présente formule doit être déposée lorsque la première défense est signifiée.*



Form 77C

Court File No.

(Short Title of Proceeding)

CASE MANAGEMENT MOTION FORM

ONTARIO COURT (GENERAL DIVISION)

Court File No.....

SHORT TITLE OF CASE:

.....  
.....

THIS FORM FILED BY (Check appropriate boxes to identify the party filing this form as a moving/responding party on this motion AND to identify this party as plaintiff, defendant, etc. in the action)

☐ moving party                      ☐  
plaintiff/petitioner/applicant.....  
.....

☐ responding party                      ☐  
defendant/respondentname.....  
☐ other-specify kind of party and  
name.....

MOTION MADE

☐ on consent of all parties                      ☐ on notice to all parties  
and unopposed\*\*  
☐ without notice                      ☐ on notice to all parties and  
expected to be opposed\*\*

(\*\*Filing fee required)

Notice of this motion

was served on (date):

by means of:

.....

METHOD OF HEARING REQUESTED

☐ in writing only, no appearance                      ☐ conference  
telephone call-see below  
☐ telephone call (motion without notice) - see below                      ☐  
appearance-see below

Date, time and place for conference call, telephone call or appearances

.....  
 .....  
 (date) (time) (place)

ORDER SOUGHT BY THIS PARTY (*Responding party is presumed to request dismissal of motion and costs*)

[ ] Extension of time - until (*give specific date*):.....  
 [ ] serve claim /application [ ] file or deliver defence  
 [ ] complete discoveries [ ] other.....

[ ] Other relief - be specific.....  
 .....  
 .....  
 .....  
 .....

MATERIAL RELIED ON BY THIS PARTY

[ ] this form [ ] pleadings [ ] affidavits-specify [ ] transcript-specify [ ] other-specify  
 .....  
 .....



54  
 GROUNDS IN SUPPORT OF/IN OPPOSITION TO MOTION (INCLUDING RULE AND  
 STATUTORY PROVISIONS RELIED ON)

.....  
 .....  
 .....  
 .....  
 .....  
 .....

---

CERTIFICATION BY LAWYER

I certify that the above information is correct, to the best of  
 my knowledge.

Signature of lawyer (If no lawyer, party must sign)

.....  
 .....Date.....

---

THIS PARTY'S LAWYER (If no lawyer, give party's address for service, telephone and fax number)	OTHER LAWYER (If no lawyer, give other party's name address for service, telephone and fax number.)
---	--

Name and firm

Address

Name and firm

Address

Telephone

Fax

Telephone

Fax

OTHER LAWYER (If no lawyer, give party's  
address for service, telephone and fax number)

OTHER LAWYER (If no lawyer, give other party's name  
address for service, telephone and fax number.)

Name and firm

Address

Name and firm

Address

Telephone

Fax

Telephone

Fax

---

DISPOSITION BY CASE MANAGEMENT JUDGE/MASTER

[ ] order to go as asked      [ ] adjourned to  
 [ ] order refused            [ ] order to go as follows:

.....  
 .....  
 .....

.....  
Hearing method ..... Hearing duration ..... min.

Heard in: [ ] courtroom [ ] office

[ ] Successful party MUST prepare formal order for signature

[ ] No copy of disposition to be sent to parties

[ ] Other directions-specify  
.....  
.....

Judge's/Master's    Judge's/Master's

Date.....Name.....Signature.....



Formule 77C

N° de dossier du greffe

(intitulé abrégé de l'instance)

FORMULE DE MOTION RELATIVE À LA GESTION D'UNE CAUSE

COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

N° de dossier de la cour : .

INTITULÉ ABRÉGÉ DE LA CAUSE :

LA PRÉSENTE FORMULE EST DÉPOSÉE PAR : (Cocher les cases pertinentes pour indiquer si la partie qui dépose la présente formule est l'auteur de la motion ou la partie intimée visée par la motion ET, si elle est le demandeur, le défendeur ou une autre partie dans l'action.)

- ☐ auteur de la motion
- ☐ nom du demandeur/requérant dans une action en divorce/du requérant : . . . . .
- ☐ partie intimée
- ☐ Nom du défendeur/de l'intimé : . . . . .
- ☐ autre partie - préciser laquelle et en donner le nom : . . . . .

MOTION PRÉSENTÉE

- |   |   |
|---|---|
| <input type="checkbox"/> sur consentement de toutes les parties | <input type="checkbox"/> sur préavis adressé à toutes les parties et non contestée**  |
| <input type="checkbox"/> sans préavis                           | <input type="checkbox"/> sur préavis adressé à toutes les parties et dont on prévoit la contestation**<br>(* ** versement de droits de dépôt) |

Un avis de la présente motion a été  
signifié le (date) : . . . . . par le moyen suivant : . . . . .

MODE D'AUDIENCE DEMANDÉ :

- ☐ par écrit seulement, sans comparution
- ☐ conférence téléphonique - voir ci-dessous
- ☐ appel téléphonique (motion sans préavis) - voir ci-dessous
- ☐ comparution - voir ci-dessous

Date, heure et lieu de la conférence téléphonique, de l'appel téléphonique ou de la comparution

.....  
 (date) (heure) (lieu)

ORDONNANCE DEMANDÉE PAR LA PRÉSENTE PARTIE (Il est présumé que la partie intimée demande le rejet de la motion et les dépens) :

☐ prorogation de délai (donner la date) : .....

☐ signification de la demande/requête ☐ dépôt ou remise de la défense

☐ fin des interrogatoires préalables

☐ autre . . . .

☐ autre mesure de redressement (préciser) : .....

DOCUMENTS SUR LESQUELS S'APPUIE LA PRÉSENTE PARTIE :

☐ la présente formule ☐ actes de procédure

☐ affidavits (préciser)

☐ transcriptions (préciser)

☐ autres (préciser)



**MOTIFS INVOQUÉS POUR APPUYER OU CONTESTER LA MOTION (NOTAMMENT LES RÈGLES ET LES AUTRES DISPOSITIONS LÉGISLATIVES)**

.....

.....

.....

.....

**CERTIFICAT DE L'AVOCAT**

*Je certifie que les renseignements donnés ci-dessus sont exacts, au mieux de ma connaissance.*

*Signature de l'avocat (La partie doit signer elle-même si elle n'a pas d'avocat.) :*

.....

*Date : .....*

**AVOCAT DE LA PRÉSENTE PARTIE** *(Si la partie n'a pas d'avocat, donner le nom de la partie ainsi que ses domicile élu et numéros de téléphone et de télécopieur.)*

Nom de l'avocat et de son cabinet :

Adresse :

Téléphone :

Télécopieur :

**AUTRE AVOCAT :** *(Si la partie n'a pas d'avocat, donner le nom de la partie ainsi que ses domicile élu et numéros de téléphone et de télécopieur.)*

Nom de l'avocat et de son cabinet :

Adresse :

Téléphone :

Télécopieur :

**AUTRE AVOCAT** *(Si la partie n'a pas d'avocat, donner le nom de la partie ainsi que ses domicile élu et numéros de téléphone et de télécopieur.)*

Nom de l'avocat et de son cabinet :

Adresse :

Téléphone :

Télécopieur :

**AUTRE AVOCAT :** *(Si la partie n'a pas d'avocat, donner le nom de la partie ainsi que ses domicile élu et numéros de téléphone et de télécopieur.)*

Nom de l'avocat et de son cabinet :

Adresse :

Téléphone :

Télécopieur :

DÉCISION DU JUGE PROTONOTAIRE /RESPONSABLE DE LA GESTION DE LA CAUSE

- |  |   |
|--|---|
| <input type="checkbox"/> ordonnance telle que demandée | <input type="checkbox"/> décision reportée au : |
| <input type="checkbox"/> ordonnance refusée            | <input type="checkbox"/> ordonnance suivante :  |

.....

.....

.....

Mode d'audience : ..... Durée de l'audience : .....min.

Audition :      ☐ en salle d'audience                      ☐ au cabinet

- ☐ La partie qui obtient gain de cause DOIT préparer une ordonnance officielle aux fins de signature
- ☐ Aucun envoi de copie de la décision aux parties
- ☐ Autres directives (préciser) :

.....

.....

Nom du	Signature du
juge ou du	juge ou du

Date : ..... protonotaire : ..... protonotaire : .....



Form 77D

Court File No.

(Short Title Proceeding)

TRIAL MANAGEMENT CONFERENCE FORM

\_\_\_\_\_

Short Title \_\_\_\_\_

File# \_\_\_\_\_

Trial Management Judge or Case Management Master:  
\_\_\_\_\_

Date of Trial Management Conferences: \_\_\_\_\_

Trial Lawyer: Plaintiff \_\_\_\_\_ Defendant \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Jury: yes \_\_\_\_\_ no \_\_\_\_\_

Filed by Plaintiff \_\_\_\_\_ Defendant \_\_\_\_\_

Subsequent Party \_\_\_\_\_

**1. Issues Outstanding**

- a) liability: \_\_\_\_\_
- b) damages: \_\_\_\_\_
- c) other: \_\_\_\_\_

**2. Plaintiff's Witnesses**Names

Estimated time for

Examination-in-chief

_____
_____
_____
_____
_____
_____
_____

**3. Defendant's Witnesses**Names

Estimated time for

Examination-in-chief

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



**4. Document Brief**

a) Prepared:                      yes \_\_\_\_\_                      no \_\_\_\_\_

b) If no, will be prepared by lawyer for the \_\_\_\_\_  
and delivered by \_\_\_\_\_ (date)

(c) Comment \_\_\_\_\_  
\_\_\_\_\_

**5. Expert's Reports**

- a) Are any "reply" reports anticipated? yes\_\_\_\_\_ no\_\_\_\_\_
- b) If "yes", do they create any timing problems regarding  
readiness for trial? yes\_\_\_\_\_ no\_\_\_\_\_

**6. Admissions Made**

- a) By plaintiff

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- b) By defendant #1

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- c) By defendant #2

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**7. Notice To Admit Facts/Documents**

- a) Served by plaintiff: yes\_\_\_\_\_ no\_\_\_\_\_
- b) If no, will be served by: \_\_\_\_\_(date)
- c) Served by defendant(s): yes\_\_\_\_\_ no\_\_\_\_\_



d) If no, will be served by: \_\_\_\_\_ (date)

e) Comment: \_\_\_\_\_  
\_\_\_\_\_

f) Would a chronology, cast of characters or chart of corporate parties with shareholders, directors, officers, etc. be useful and if so, who will prepare them?  
\_\_\_\_\_  
\_\_\_\_\_

#### 8. Amendments to Pleadings

a) Have all parties considered the pleadings and are any amendments likely to be sought?  
\_\_\_\_\_  
\_\_\_\_\_

b) If amendments are likely, will this create problems with readiness for trial?  
\_\_\_\_\_  
\_\_\_\_\_

#### 9. Damages

a) Has a damages brief been delivered? yes\_\_\_ no\_\_\_

b) If "no", will one be delivered before trial?  
yes\_\_\_ no\_\_\_

#### 10. Brief of Authorities

a) Has a brief of authorities been delivered?  
yes\_\_\_ no\_\_\_

b) If "no", will one be delivered before trial?  
yes\_\_\_ no\_\_\_

#### 11. Settlement Conference

a) Already held on \_\_\_\_\_ (date) by \_\_\_\_\_

b) Further settlement conference will be conducted:  
yes\_\_\_ no\_\_\_

c) If yes, by judge: \_\_\_\_\_ on \_\_\_\_\_ (date)

#### 12. Readiness for Trial

a) Estimated trial time required: \_\_\_\_\_

b) Are there any special circumstances which should be noted to assist in scheduling this matter for trial? (i.e. witnesses from out of town; large

courtroom required due to number of lawyers or documents?)

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Formule 77D

No. de dossier du greffe

(intitulé abrégé de l'instance)

FORMULE POUR LA CONFÉRENCE DE GESTION DU PROCÈS

\_\_\_\_\_

Intitulé abrégé \_\_\_\_\_

Dossier n° \_\_\_\_\_

Juge responsable de la gestion du procès ou protonotaire responsable de la gestion de la  
cause: \_\_\_\_\_

Date de la conférence de gestion du procès : \_\_\_\_\_

Avocats : Demandeur \_\_\_\_\_ Défendeur \_\_\_\_\_

Jury : oui \_\_\_\_\_ non \_\_\_\_\_

Déposé par le demandeur \_\_\_\_\_ le défendeur \_\_\_\_\_

Le tiers mis en cause \_\_\_\_\_

1. Questions en litige

- a) responsabilité : \_\_\_\_\_
- b) dommages-intérêts : \_\_\_\_\_
- c) autres : \_\_\_\_\_

2. Témoins du demandeur

Noms

Durée estimative de

l'interrogatoire principal

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3. Témoins du défendeur**Noms**Durée estimative de**l'interrogatoire principal

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**4. Dossier**

a) Préparé :                      oui \_\_\_\_\_ non \_\_\_\_\_

b) Dans la négative, il sera préparé par l'avocat du  
et remis au plus tard le \_\_\_\_\_ (date)

c) Observations \_\_\_\_\_

\_\_\_\_\_

**5. Rapports d'experts**

a) Est-ce que des rapports seront présentés «en réponse»? oui \_\_\_\_ non \_\_\_\_

b) Dans l'affirmative, les délais nécessaires à leur préparation retarderont-ils la  
mise en état de l'instance?      oui \_\_\_\_ non \_\_\_\_**6. Aveux**

a) Par le demandeur \_\_\_\_\_



b) Par le défendeur n° 1

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c) Par le défendeur n° 2

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**7. Avis d'aveux relatifs à des faits ou des documents**

a) Signifié par le demandeur : oui \_\_\_\_ non \_\_\_\_

b) Dans la négative, il sera signifié  
au plus tard le : \_\_\_\_ (date)

c) Signifié par le ou les défendeurs : oui \_\_\_\_ non \_\_\_\_

d) Dans la négative, il sera signifié  
au plus tard le : \_\_\_\_ (date)

e) Observations : \_\_\_\_\_

f) Est-ce que la chronologie, la liste des personnes impliquées ou l'organigramme des personnes morales mentionnant notamment les actionnaires, les administrateurs et les dirigeants seraient utiles? Dans l'affirmative, qui préparera ces renseignements?

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**8. Modifications apportées aux actes de procédure**

a) Est-ce que toutes les parties ont examiné les actes de procédure? Est-il probable qu'elles demandent que des modifications y soient apportées?

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b) S'il est probable que des modifications soient apportées, retarderont-elles la mise en état de l'instance?

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**9. Dommages-intérêts**

- a) Est-ce qu'un mémoire des dommages-intérêts a été remis?  
oui \_\_\_\_\_ non \_\_\_\_\_
- b) Dans la négative, est-ce qu'il en sera remis un avant le procès?  
oui \_\_\_\_\_ non \_\_\_\_\_

**10. Mémoire des précédents**

- a) Est-ce qu'un mémoire des précédents a été remis?  
oui \_\_\_\_\_ non \_\_\_\_\_
- b) Dans la négative, est-ce qu'il en sera remis un avant le procès?  
oui \_\_\_\_\_ non \_\_\_\_\_

**11. Conférence en vue d'une transaction**

- a) Elle été tenue le \_\_\_\_\_ (date) par \_\_\_\_\_
- b) Une autre conférence en vue d'une transaction aura lieu : oui \_\_\_\_\_ non \_\_\_\_\_
- c) Dans l'affirmative, elle sera présidé par le juge \_\_\_\_\_  
le \_\_\_\_\_ (date)

**12. Mise en état de l'instance**

- a) Durée prévue du procès : \_\_\_\_\_
- b) Existe-t-il des circonstances particulières qui devraient être prises en considération avant de fixer les date et heure de l'instruction de l'affaire?



(par exemple, témoins de l'extérieur de la ville ou grande salle d'audience  
nécessaire en raison du nombre d'avocats ou de documents)

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4. This Regulation comes into force on February 3, 1997.

4. Le présent règlement entre en vigueur le 3 février 1997.

/97

**ONTARIO REGULATION 556/96**  
made under the  
**COURTS OF JUSTICE ACT**

Made: December 16, 1996  
Approved: December 19, 1996  
Filed: December 20, 1996

Amending O. Reg. 703/91  
(Toronto Civil Case Management Rules)

1. Ontario Regulations 703/91, 210/93, 765/93, 482/94, 741/94,  
516/95 and 533/96 are revoked.

2. This Regulation comes into force on February 3, 1997.

/97

**RÈGLEMENT DE L'ONTARIO 556/96**  
pris en application de la  
**LOI SUR LES TRIBUNAUX JUDICIAIRES**

pris le 16 décembre 1996  
approuvé le 19 décembre 1996  
déposé le 20 décembre 1996

modifiant le Règl. de l'Ont. 703/91  
(Règles de gestion des causes civiles de Toronto)

1. Les Règlements de l'Ontario 703/91, 210/93, 765/93, 482/94,  
741/94, 516/95 et 533/96 sont abrogés.

2. Le présent règlement entre en vigueur le 3 février 1997.

**ONTARIO REGULATION 557/96**  
made under the  
**MUNICIPAL ACT**

Made: December 19, 1996  
Filed: December 20, 1996

Amending O. Reg. 143/96  
(Powers of the Minister or a Commission for the  
Implementation of a restructuring Proposal)

Note: Ontario Regulation 143/96 has been amended by Ontario  
Regulation 389/96.

1. (1) Subsection 1 (1) of Ontario Regulation 143/96 is amended  
by striking out "Sections 2 to 17 set out the powers that" in the first  
line and substituting "This Regulation sets out the powers that".

**RÈGLEMENT DE L'ONTARIO 557/96**  
pris en application de la  
**LOI SUR LES MUNICIPALITÉS**

pris le 19 décembre 1996  
déposé le 20 décembre 1996

modifiant le Règl. de l'Ont. 143/96  
(Pouvoirs du ministre ou d'une commission visant  
la mise en oeuvre d'une proposition de restructuration)

Remarque : Le Règlement de l'Ontario 143/96 a été modifié par le  
Règlement de l'Ontario 389/96.

1. (1) Le paragraphe 1 (1) du Règlement de l'Ontario 143/96 est  
modifié par substitution de «Le présent règlement énonce les  
pouvoirs que» à «Les articles 2 à 17 énoncent les pouvoirs que» à la  
première ligne.

(2) Subsection 1 (2) of the Regulation is amended by striking out "In sections 2 to 17" in the first line and substituting "In this Regulation".

2. Section 3 of the Regulation is amended by adding the following subsection:

(3) Clause (1) (b) does not apply with respect to the dissolution of a county if a board, established under clause 5.3 (1) (a), is given all or part of the powers of the county.

3. Section 5 of the Regulation is amended by adding the following subsection:

(2) The Minister or a commission may establish the composition of a county library board under *Public Libraries Act*, subject to subsection 9 (5) of that Act, and may change the name of such a board to a name different from that required under subsection 7 (7) of that Act.

4. The Regulation is amended by adding the following sections:

5.1 The Minister or a commission may establish or continue a board, other than a local board, to provide municipal services and may establish the composition of the board.

5.2 (1) If a restructuring proposal provides for one or more municipalities to be dissolved, incorporated or amalgamated the Minister or a commission may, for transitional purposes, establish a board as a corporation.

(2) The Minister or a commission may establish the composition of a board established under subsection (1).

(3) If a restructuring proposal provides for a municipality to be dissolved or amalgamated, the Minister or a commission may provide that, until the municipality is dissolved or amalgamated,

(a) the board established under subsection (1) may exercise specified powers of the council of the municipality;

(b) the council of the municipality shall not exercise specified powers without the approval of the board.

(4) If a restructuring proposal provides for a municipality to be incorporated, the Minister or a commission may provide that, until the municipality is incorporated, the board established under subsection (1) may exercise specified powers the council of the municipality will have when the municipality is incorporated.

(5) If a restructuring proposal provides for municipalities to be amalgamated, the Minister or a commission may provide that, until the municipalities are amalgamated, the board established under subsection (1) may exercise specified powers the council of the municipality that will result from the amalgamation will have when the amalgamation occurs.

5.3 (1) If a restructuring proposal provides for the dissolution of a county, the Minister or a commission may,

(a) establish a board as a corporation;

(b) give the board all or part of the powers of a county and all or part of the powers of the council of a county;

(c) establish the composition of the board and provide for the number of votes the members of the board have;

(d) provide for the duties and responsibilities of the board.

(2) The Minister or a commission may order that a board established under clause (1) (a) shall be deemed to be a county and that the members of the board shall be deemed to be the council of a county. The order may set out the municipalities that shall be deemed to be part of the county for municipal purposes.

(2) Le paragraphe 1 (2) du Règlement est modifié par substitution de «au présent règlement» à «aux articles 2 à 17» à la première ligne

2. L'article 3 du Règlement est modifié par adjonction du paragraphe suivant :

(3) L'alinéa (1) b) ne s'applique pas à la dissolution d'un comté s'un conseil, établi en vertu de l'alinéa 5.3 (1) a), est investi de la totalité ou d'une partie des pouvoirs du comté.

3. L'article 5 du Règlement est modifié par adjonction du paragraphe suivant :

(2) Le ministre ou une commission peut établir la composition du conseil d'une bibliothèque de comté prévu par la *Loi sur les bibliothèques publiques*, sous réserve du paragraphe 9 (5) de cette loi et peut remplacer le nom d'un tel conseil par un autre nom que celui exigé aux termes du paragraphe 7 (7) de cette loi.

4. Le Règlement est modifié par adjonction des articles suivants :

5.1 Le ministre ou une commission peut établir ou maintenir un conseil, autre qu'un conseil local, en vue d'offrir des services municipaux et peut établir la composition du conseil.

5.2 (1) Si une proposition de restructuration prévoit la dissolution la constitution ou la fusion d'une ou de plusieurs municipalités, le ministre ou une commission peut, aux fins de transition, établir un conseil sous forme de personne morale.

(2) Le ministre ou une commission peut établir la composition d'un conseil établi en vertu du paragraphe (1).

(3) Si une proposition de restructuration prévoit la dissolution ou la fusion d'une municipalité, le ministre ou une commission peut prévoir que, tant que la municipalité n'est pas dissoute ou fusionnée :

a) le conseil établi en vertu du paragraphe (1) peut exercer des pouvoirs précisés du conseil de la municipalité;

b) le conseil de la municipalité ne doit pas exercer des pouvoirs précisés, sans l'approbation du conseil.

(4) Si une proposition de restructuration prévoit la constitution d'une municipalité, le ministre ou une commission peut prévoir que tant que la municipalité n'est pas constituée, le conseil établi en vertu du paragraphe (1) peut exercer des pouvoirs précisés dont le conseil de la municipalité est investi lorsque celle-ci est constituée.

(5) Si une proposition de restructuration prévoit la fusion de municipalités, le ministre ou une commission peut prévoir que, tant que les municipalités n'ont pas fusionné, le conseil établi en vertu du paragraphe (1) peut exercer des pouvoirs précisés dont le conseil de la municipalité issue de la fusion est investi lorsque la fusion a lieu.

5.3 (1) Si une proposition de restructuration prévoit la dissolution d'un comté, le ministre ou une commission peut :

a) établir un conseil sous forme de personne morale;

b) investir le conseil de la totalité ou d'une partie des pouvoirs d'un comté ainsi que de la totalité ou d'une partie des pouvoirs du conseil d'un comté;

c) établir la composition du conseil et prévoir le nombre de voix dont les membres du conseil peuvent se prévaloir;

d) prévoir les fonctions et les responsabilités du conseil.

(2) Le ministre ou une commission peut ordonner qu'un conseil établi en vertu de l'alinéa (1) a) soit réputé un comté et que les membres du conseil soient réputés le conseil d'un comté. L'arrêté ou l'ordre peut indiquer les municipalités qui sont réputées faire partie du comté aux fins municipales.



(3) If the Minister or a commission orders that a board established under clause (1) (a) shall be deemed to be a county the Minister or commission may exercise, in the same order, the powers under this regulation as though the board were already deemed to be a county.

(4) The Minister or a commission may order that a board established under clause (1) (a) shall be deemed to have delegated under subsection 4 (1) of the *Planning Act*, as set out in the order, the board's authority for the giving of consents under section 53 of the *Planning Act*. The order does not affect the authority of the board to withdraw the delegation.

(5) The Minister or a commission may order that a board established under clause (1) (a) that maintains a home for the aged under the *Homes for the Aged and Rest Homes Act* shall be deemed to be the committee of management of the home.

(6) The Minister or a commission may require a municipality to contribute, as specified in the order, to the costs of operating a home for the aged maintained by a board established under clause (1) (a).

#### 5. The Regulation is amended by adding the following section:

6.1 (1) The Minister or a commission may provide for qualifications that must be satisfied in order for a member of a council of a municipality to act in the place of the head of the council.

(2) The Minister or a commission may set out the title of a member of a council who acts in the place of the head of the council.

#### 6. Section 7 of the Regulation is amended by adding the following subsection:

(2) The Minister or a commission may provide for members to have different numbers of votes with respect to different matters.

#### 7. Section 9 of the Regulation is amended by adding the following subsection:

(6) Despite subsection (1), this section applies with respect to a board established under clause 5.3 (1) (a) as though the board were the council of a county.

#### 8. The Regulation is amended by adding the following sections:

12.1 (1) The Minister or a commission may impose requirements or restrictions on the council of a municipality affected by a restructuring proposal in relation to the following:

1. Financial matters.
2. The application of savings resulting from budgetary controls.
3. The establishment and maintenance of reserves and reserve funds.
4. Payments from a municipality or local board to a municipality or local board.
5. Spending on specified municipal services and contributions to other municipalities for specified municipal services that benefit the contributing municipality.
6. The sale of assets and the use of the proceeds.
7. Adjustments to the mill rates for taxpayers in any part of the municipality in respect of transit, police services, parks, roads, conservation authorities and ferry services.

(3) Si le ministre ou une commission ordonne qu'un conseil établi en vertu de l'alinéa (1) a) soit réputé un comté, le ministre ou la commission peut exercer, dans le même arrêté ou ordre, les pouvoirs prévus au présent règlement comme si le conseil était déjà réputé un comté.

(4) Le ministre ou une commission peut ordonner qu'un conseil établi en vertu de l'alinéa (1) a) soit réputé avoir délégué en vertu du paragraphe 54 (1) de la *Loi sur l'aménagement du territoire*, comme l'indique l'arrêté ou l'ordre, son pouvoir d'accorder les autorisations visées à l'article 53 de cette loi. L'arrêté ou l'ordre ne porte pas atteinte au pouvoir qu'a le conseil de retirer la délégation.

(5) Le ministre ou une commission peut ordonner qu'un conseil établi en vertu de l'alinéa (1) a) qui maintient un foyer pour personnes âgées en vertu de la *Loi sur les foyers pour personnes âgées et les maisons de repos* soit réputé le comité de gestion du foyer.

(6) Le ministre ou une commission peut exiger qu'une municipalité contribue, selon ce qui est précisé dans l'arrêté ou l'ordre, aux dépenses d'exploitation d'un foyer pour personnes âgées maintenu par un conseil établi en vertu de l'alinéa (1) a).

#### 5. Le Règlement est modifié par adjonction de l'article suivant :

6.1 (1) Le ministre ou une commission peut prévoir les qualités que doit posséder un membre d'un conseil d'une municipalité pour exercer la fonction de président du conseil à la place de ce dernier.

(2) Le ministre ou une commission peut préciser le titre d'un membre d'un conseil qui exerce la fonction de président du conseil à la place de ce dernier.

#### 6. L'article 7 du Règlement est modifié par adjonction du paragraphe suivant :

(2) Le ministre ou une commission peut prévoir que les membres peuvent se prévaloir d'un nombre de voix différent à l'égard de questions différentes.

#### 7. L'article 9 du Règlement est modifié par adjonction du paragraphe suivant :

(6) Malgré le paragraphe (1), le présent article s'applique à l'égard d'un conseil établi en vertu de l'alinéa 5.3 (1) a) comme si le conseil était le conseil d'un comté.

#### 8. Le Règlement est modifié par adjonction des articles suivants :

12.1 (1) Le ministre ou une commission peut imposer des exigences ou des restrictions au conseil d'une municipalité visée par une proposition de restructuration à l'égard de ce qui suit :

1. Des questions financières.
2. L'application d'économies réalisées au moyen du contrôle budgétaire.
3. La création et le maintien de réserves et de fonds de réserve.
4. Versements qu'une municipalité ou un conseil local fait à une municipalité ou à un conseil local.
5. Des dépenses à l'égard de services municipaux précisés et des contributions à d'autres municipalités pour des services municipaux précisés dont bénéficie la municipalité qui a fait la contribution.
6. La vente d'éléments d'actif et l'utilisation du produit.
7. Des rajustements des taux du millièm s'appliquant aux contribuables d'une partie quelconque de la municipalité qui tiennent compte des transports en commun, des services policiers, des parcs, des routes, des offices de conservation de la nature et des services de traversiers.

## 8. The hiring of employees.

## 9. The establishment and composition of committees for transitional purposes.

## 10. The provisions of the procedure by-law governing the calling, place and proceedings of meetings.

(2) The Minister or a commission may require the council of a municipality to review a matter at a time specified by the Minister or commission.

(3) Requirements or restrictions under paragraph 1 of subsection (1) relating to financial matters may apply only in the year in which the order imposing the requirements or restrictions becomes effective and in the following year.

(4) Requirements or restrictions relating to the provisions of the by-law referred to in paragraph 10 of subsection (1) do not affect the authority of the council of the municipality to subsequently amend the by-law.

**12.2** If a restructuring proposal has the effect of transferring the responsibility to construct or maintain roads from a county to a local municipality, the Minister or a commission may require that the local municipality construct and maintain the roads in accordance with specified standards.

**12.3 (1)** The Minister or a commission may provide that a by-law under subsection 64 (2) of the Act providing that a city shall not have a board of control,

(a) may be passed only by a specified majority of the members of the council who are present at a meeting instead of by the two-thirds affirmative vote of all the members of the council required under subsection 64 (2) of the Act;

(b) may come into force without the approval of the Municipal Board.

(2) The majority specified by the Minister or commission for the purposes of clause (1) (a) must be greater than two-thirds.

**12.4 (1)** The Minister or a commission may order that the council of a city, town or other municipality referred to in subsection 65 (1) of the Act shall be deemed to have passed a by-law under that subsection providing that there shall be a board of control.

(2) A council may, subject to subsection 65 (2) of the Act, repeal a by-law it is deemed to have passed under subsection 65 (1) of the Act. However, the Minister or a commission may provide that a by-law repealing such a by-law,

(a) may be passed only by a specified majority of the members of the council who are present at a meeting;

(b) may come into force without the approval of the Municipal Board.

(3) The majority specified by the Minister or commission for the purposes of clause (2) (a) must be greater than two-thirds.

**12.5 (1)** The Minister or a commission may provide that for a council to authorize, under subsection 68 (3) of the Act, the appropriation or expenditure of a sum not provided for by the estimates, or a special or supplementary estimate, of the board of control either,

(a) notice must be given, as specified in the order, before the council authorizes the appropriation or expenditure under subsection 68 (3) of the Act; or

(b) the council must authorize the appropriation or expenditure by a specified majority of the members of the council who are

## 8. L'engagement d'employés.

## 9. L'établissement et la composition de comités à des fins de transition.

## 10. Les dispositions du règlement municipal régissant la convocation, le lieu et le déroulement des réunions.

(2) Le ministre ou une commission peut exiger que le conseil d'une municipalité examine une question à un moment que précise le ministre ou la commission.

(3) Les exigences ou restrictions visées à la disposition 1 du paragraphe (1) qui ont trait à des questions financières ne peuvent s'appliquer que pendant l'année au cours de laquelle l'arrêté ou l'ordre qui impose les exigences ou restrictions entre en vigueur et pendant l'année suivante.

(4) Les exigences ou restrictions qui ont trait aux dispositions du règlement municipal visé à la disposition 10 du paragraphe (1) ne portent pas atteinte au pouvoir qu'a le conseil de la municipalité d'apporter des modifications subséquentes au règlement municipal.

**12.2** Si une proposition de restructuration a pour effet de transférer d'un comté à une municipalité locale la responsabilité de construire et d'entretenir des routes, le ministre ou une commission peut exiger que la municipalité locale construise et entretienne les routes conformément aux normes précisées.

**12.3 (1)** Le ministre ou une commission peut prévoir qu'un règlement municipal visé au paragraphe 64 (2) de la Loi qui prévoit qu'une cité n'a pas de comité de régie :

a) ne peut être adopté que par un vote à la majorité précisée des membres du conseil qui sont présents à une réunion au lieu d'être adopté par le vote favorable des deux tiers de tous les membres du conseil exigé aux termes du paragraphe 64 (2) de la Loi;

b) peut entrer en vigueur sans l'approbation de la Commission des affaires municipales.

(2) La majorité précisée par le ministre ou la commission pour l'application de l'alinéa (1) a) doit être supérieure à deux tiers.

**12.4 (1)** Le ministre ou une commission peut ordonner que le conseil d'une cité, d'une ville ou d'une autre municipalité visées au paragraphe 65 (1) de la Loi soit réputé avoir adopté en vertu de ce paragraphe un règlement municipal prévoyant la création d'un comité de régie.

(2) Un conseil peut, sous réserve du paragraphe 65 (2) de la Loi, abroger un règlement municipal qu'il est réputé avoir adopté en vertu du paragraphe 65 (1) de la Loi. Cependant, le ministre ou une commission peut prévoir qu'un règlement municipal qui abroge un tel règlement :

a) ne peut être adopté que par un vote à la majorité précisée des membres du conseil qui sont présents à une réunion;

b) peut entrer en vigueur sans l'approbation de la Commission des affaires municipales.

(3) La majorité précisée par le ministre ou la commission pour l'application de l'alinéa (2) a) doit être supérieure à deux tiers.

**12.5 (1)** Le ministre ou une commission peut prévoir que pour qu'un conseil autorise, aux termes du paragraphe 68 (3) de la Loi, l'affectation ou la dépense d'une somme qui n'est pas prévue dans les prévisions de dépenses de l'exercice, ou dans des prévisions extraordinaires ou supplémentaires, du comité de régie, l'une ou l'autre des mesures suivantes doit être prise :

a) un avis est donné, selon ce qui est précisé dans l'arrêté ou l'ordre, avant que le conseil n'autorise cette affectation ou cette dépense aux termes du paragraphe 68 (3) de la Loi;

b) le conseil autorise cette affectation ou cette dépense par un vote à la majorité précisée des membres du conseil qui sont présents



present at a meeting instead of by the two-thirds vote required under subsection 68 (3) of the Act.

(2) The majority specified by the Minister or commission for the purposes of clause (1) (b) must be greater than two-thirds.

12.6 (1) The Minister or a commission may provide that a by-law or resolution under subsection 68 (13) of the Act assigning other duties to a board of control may be passed only by a two-thirds vote.

(2) The Minister or a commission may provide that a council of a municipality may, by a by-law passed by a two-thirds vote, remove or limit the duties of a board of control, including statutory duties.

12.7 The Minister or a commission may allow a municipality to have more than one fire department and may allow the municipality to have a fire chief for each department.

12.8 (1) In this section,

“former municipality” means a municipality that, as a result of a restructuring proposal, is being dissolved or amalgamated; (“ancienne municipalité”)

“new municipality” means a municipality that is being incorporated as a result of a restructuring proposal or that will be the result of an amalgamation under a restructuring proposal and includes a board established under clause 5.3 (1) (a). (“nouvelle municipalité”)

(2) This section applies only with respect to a person who, immediately before a former municipality is dissolved or amalgamated, is an employee of the former municipality or a local board of the former municipality.

(3) The Minister or a commission may order that an employee of a former municipality shall become an employee of a new municipality or a local board of the new municipality.

(4) The Minister or a commission may order that an employee of a local board of a former municipality shall become an employee of a new municipality or a local board of the new municipality.

12.9 (1) The definitions in subsection 12.8 (1) apply to this section.

(2) This section applies only with respect to a person who, immediately before a former municipality is dissolved or amalgamated, is an employee of the former municipality or a local board of the former municipality and is not in a bargaining unit.

(3) The Minister or a commission may order that the length of employment or service of an employee who becomes, under the order, an employee of a new municipality or a local board of the new municipality shall be deemed to include,

(a) if the employee was employed by a former municipality immediately before the former municipality is dissolved or amalgamated, a percentage of the length of employment or service the employee had with the former municipality and with any local board of the former municipality; or

(b) if the employee was employed by a local board of a former municipality immediately before the former municipality is dissolved or amalgamated, a percentage of the length of employment or service the employee had with the local board, the former municipality and any other local board of the former municipality.

(4) Subsection (5) applies with respect to an employee only if,

(a) the employee becomes, under an order, an employee of a new municipality or a local board of a new municipality; and

à une réunion au lieu de l'autoriser par le vote à la majorité des deux tiers exigé aux termes du paragraphe 68 (3) de la Loi.

(2) La majorité précisée par le ministre ou la commission pour l'application de l'alinéa (1) b) doit être supérieure à deux tiers.

12.6 (1) Le ministre ou une commission peut prévoir qu'un règlement municipal ou une résolution visés au paragraphe 68 (13) de la Loi qui assigne d'autres fonctions à un comité de régie ne peuvent être adoptés que par un vote à la majorité des deux tiers.

(2) Le ministre ou une commission peut prévoir que le conseil d'une municipalité peut, par règlement municipal adopté par un vote à la majorité des deux tiers, retirer ou limiter les fonctions d'un comité de régie, y compris celles qui lui sont conférées par la loi.

12.7 Le ministre ou une commission peut permettre à une municipalité d'avoir plus d'un service de pompiers et d'avoir un chef des pompiers par service.

12.8 (1) Les définitions qui suivent s'appliquent au présent article.

«ancienne municipalité» Municipalité qui, par suite d'une proposition de restructuration, est dissoute ou fusionnée. («former municipality»)

«nouvelle municipalité» Municipalité qui est constituée par suite d'une proposition de restructuration ou qui sera issue d'une fusion aux termes d'une proposition de restructuration. S'entend en outre d'un conseil établi en vertu de l'alinéa 5.3 (1) a). («new municipality»)

(2) Le présent article ne s'applique qu'à l'égard d'une personne qui, immédiatement avant la dissolution ou la fusion d'une ancienne municipalité, est un employé de l'ancienne municipalité ou d'un conseil local de cette dernière.

(3) Le ministre ou une commission peut ordonner qu'un employé d'une ancienne municipalité devienne un employé d'une nouvelle municipalité ou d'un conseil local de la nouvelle municipalité.

(4) Le ministre ou une commission peut ordonner qu'un employé d'un conseil local d'une ancienne municipalité devienne un employé d'une nouvelle municipalité ou d'un conseil local de la nouvelle municipalité.

12.9 (1) Les définitions qui figurent au paragraphe 12.8 (1) s'appliquent au présent article.

(2) Le présent article ne s'applique qu'à l'égard d'une personne qui, immédiatement avant la dissolution ou la fusion d'une ancienne municipalité, est un employé de l'ancienne municipalité ou d'un conseil local de cette dernière et ne fait pas partie d'une unité de négociation.

(3) Le ministre ou une commission peut ordonner que la durée de l'emploi ou des états de service d'un employé qui devient, aux termes de l'arrêté ou de l'ordre, un employé d'une nouvelle municipalité ou d'un conseil local de la nouvelle municipalité soit réputée comprendre :

a) si l'employé était employé par une ancienne municipalité immédiatement avant la dissolution ou la fusion de celle-ci, un pourcentage de la durée de l'emploi ou des états de service de l'employé auprès de l'ancienne municipalité et de tout conseil local de cette dernière;

b) si l'employé était employé par un conseil local d'une ancienne municipalité immédiatement avant la dissolution ou la fusion de l'ancienne municipalité, un pourcentage de la durée de l'emploi ou des états de service de l'employé auprès du conseil local, de l'ancienne municipalité et de tout autre conseil local de cette dernière.

(4) Le paragraphe (5) ne s'applique à l'égard d'un employé que si les conditions suivantes sont réunies :

a) l'employé devient, aux termes d'un arrêté ou d'un ordre, un employé d'une nouvelle municipalité ou d'un conseil local d'une nouvelle municipalité;



(b) the position the employee had with the former municipality or local board of the former municipality immediately before the former municipality is dissolved or amalgamated would be in a bargaining unit if the position were with the new municipality or local board that the employee becomes an employee of under the order.

(5) Subject to subsection (4), the Minister or a commission may order that an employee shall be deemed to be in the bargaining unit referred to in clause (4) (b) with seniority that shall be deemed to include,

(a) if the employee was employed by a former municipality immediately before the former municipality is dissolved or amalgamated, a percentage of the length of employment the employee had in each position with the former municipality and with any local board of the former municipality that would be in the bargaining unit the employee is deemed to be in if the position were with the new municipality or local board that the employee becomes an employee of under the order; or

(b) if the employee was employed by a local board of a former municipality immediately before the former municipality is dissolved or amalgamated, a percentage of the length of employment the employee had in each position with the local board of the former municipality and any other local board of the former municipality that would be in the bargaining unit the employee is deemed to be in if the position were with the new municipality or local board that the employee becomes an employee of under the order.

(6) The percentage of length of employment or service referred to in subsections (3) and (5) shall be set out in the order and may be any percentage not exceeding 100 percent.

(7) The Minister or a commission may provide that a dispute concerning the application, in determining a right or obligation under a collective agreement, of the part of the Minister's or commission's order that results from the exercise of a power under this section be resolved as though the dispute were a dispute concerning the interpretation, application or administration of the collective agreement.

12.10 The Minister or a commission may provide for an alternate to act as a member of the council of a county in the absence of a member who is a member of the council of a local municipality.

9. The French version of subsection 16 (4) of the Regulation is amended by striking out "d'une ordonnance prise" in the third line and substituting "d'un arrêté pris ou d'un ordre donné".

10. Section 17 of the Regulation is revoked and the following substituted:

17. The Minister or a commission may provide in an order that issues arising out of the interpretation of the order be resolved by arbitration in accordance with the *Arbitration Act, 1991* or by another method specified in the order.

17.1 In implementing a restructuring proposal, the Minister or a commission may order that a municipality affected by the restructuring proposal shall not do any of the following or may do them only as allowed under the order:

1. Make a restructuring proposal under section 25.2 of the Act.
2. Request the establishment of a commission under section 25.3 of the Act.
3. Apply to the Minister under section 2 of the *Municipal Boundary Negotiations Act* or enter into an agreement in respect of the

b) le poste que l'employé occupait auprès de l'ancien municipalité ou du conseil local de l'ancienne municipalité immédiatement avant la dissolution ou la fusion de celle-ci sera compris dans une unité de négociation si le poste était auprès de la nouvelle municipalité ou du conseil local dont l'employé devient un employé aux termes de l'arrêté ou de l'ordre.

(5) Sous réserve du paragraphe (4), le ministre ou une commission peut ordonner qu'un employé soit réputé faire partie de l'unité de négociation visée à l'alinéa (4) b) avec une ancienneté qui est réputé comprendre :

a) si l'employé était employé par une ancienne municipalité immédiatement avant la dissolution ou la fusion de cette dernière, un pourcentage de la durée de son emploi à chaque poste qu'il occupait auprès de l'ancienne municipalité et de tout conseil local de cette dernière et qui serait compris dans l'unité de négociation dont l'employé est réputé faire partie si le poste était auprès de la nouvelle municipalité ou du conseil local dont l'employé devient un employé aux termes de l'arrêté ou de l'ordre;

b) si l'employé était employé par un conseil local d'une ancienne municipalité immédiatement avant la dissolution ou la fusion de cette dernière, un pourcentage de la durée de son emploi à chaque poste qu'il occupait auprès du conseil local de l'ancienne municipalité et de tout autre conseil local de celle-ci et qui serait compris dans l'unité de négociation dont l'employé est réputé faire partie si le poste était auprès de la nouvelle municipalité ou du conseil local dont l'employé devient un employé aux termes de l'arrêté ou de l'ordre.

(6) Le pourcentage de la durée de l'emploi ou des états de service visé aux paragraphes (3) et (5) est précisé dans l'arrêté ou l'ordre et peut être tout pourcentage ne dépassant pas 100 pour cent.

(7) Le ministre ou une commission peut prévoir qu'un différend portant sur l'application, lors de la détermination d'un droit ou d'une obligation aux termes d'une convention collective, de la partie de l'arrêté du ministre ou de l'ordre de la commission qui résulte de l'exercice d'un pouvoir prévu au présent article soit réglé comme s'il s'agissait d'un différend portant sur l'interprétation, l'application ou l'administration de la convention collective.

12.10 Le ministre ou une commission peut prévoir qu'un suppléant exerce la fonction de membre du conseil d'un comté en l'absence d'un membre qui fait partie du conseil d'une municipalité locale.

9. La version française du paragraphe 16 (4) du Règlement est modifiée par substitution de «d'un arrêté pris ou d'un ordre donné» à «d'une ordonnance prise» à la troisième ligne.

10. L'article 17 du Règlement est abrogé et remplacé par ce qui suit :

17. Le ministre ou une commission peut prévoir dans un arrêté ou un ordre que toute question d'interprétation qui se pose à l'égard de l'arrêté ou de l'ordre soit réglée par arbitrage conformément à la *Loi de 1991 sur l'arbitrage* ou par une autre méthode précisée dans l'arrêté ou l'ordre.

17.1 Lorsqu'ils mettent en œuvre une proposition de restructuration, le ministre ou une commission peut ordonner qu'une municipalité visée par la proposition de restructuration ne prenne aucune des mesures suivantes ou qu'elle ne puisse les prendre que selon ce que permet l'arrêté ou l'ordre :

1. La présentation d'une proposition de restructuration en vertu de l'article 25.2 de la Loi.
2. Une demande en vue de l'établissement d'une commission en vertu de l'article 25.3 de la Loi.
3. La présentation d'une demande au ministre en vertu de l'article 2 de la *Loi sur les négociations de limites municipales* ou



resolution of an intermunicipal boundary issue or an intermunicipal boundary-related issue.

conclusion d'un accord concernant la résolution d'une question relative aux limites intermunicipales ou d'une question reliée aux limites intermunicipales.

11. (1) The French version of subsection 18 (1) of the Regulation is amended by striking out "l'ordonnance du ministre ou" in the first line and substituting "l'arrêté du ministre ou l'ordre".

11. (1) La version française du paragraphe 18 (1) du Règlement est modifiée par substitution de «l'arrêté du ministre ou l'ordre» à «l'ordonnance du ministre ou» à la première ligne.

(2) Clause 18 (2) (b) of the Regulation is revoked and the following substituted:

(2) L'alinéa 18 (2) b) du Règlement est abrogé et remplacé par ce qui suit :

(b) no new ward is being created, other than a ward that consists solely of the entire area of an existing ward or an existing municipality that has no wards;

b) aucun nouveau quartier n'est créé, autre qu'un quartier qui est constitué uniquement de la totalité du secteur d'un quartier existant ou d'une municipalité existante qui n'a pas de quartiers;

(3) The French version of subsection 18 (2) of the Regulation is amended by striking out "L'ordonnance visée" in the first line and substituting "L'arrêté ou l'ordre visé".

(3) La version française du paragraphe 18 (2) du Règlement est modifiée par substitution de «L'arrêté ou l'ordre visé» à «L'ordonnance visée» à la première ligne.

(4) Section 18 of the Regulation is amended by adding the following subsection:

(4) L'article 18 du Règlement est modifié par adjonction du paragraphe suivant :

(3) This section does not apply to an order of the Minister that comes into effect between January 1, 1997 and March 31, 1997, both inclusive.

(3) Le présent article ne s'applique pas à l'arrêté du ministre qui entre en vigueur entre, inclusivement, le 1<sup>er</sup> janvier 1997 et le 31 mars 1997.





# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1997—01—11

## ONTARIO REGULATION 558/96

made under the  
HIGHWAY TRAFFIC ACT

Made: December 11, 1996

Filed: December 23, 1996

Amending O. Reg. 37/93  
(Reciprocal Suspension of Driver's Licence)

Note: Ontario Regulation 37/93 has not previously been amended.

1. Section 1 of Ontario Regulation 37/93 is amended by striking out the portion before the Table and substituting the following:

1. Pursuant to subsection 42 (5) of the Act, each offence provision in Column 2 of the Table that has been enacted by the state of the United States of America mentioned in Column 1 opposite the provision is designated for the purposes of sections 41 and 42 of the Act:

. . . . .

2/97

## ONTARIO REGULATION 559/96

made under the  
THEATRES ACT

Made: December 19, 1996

Filed: December 23, 1996

Amending Rég. 1031 of R.R.O. 1990  
(General)

Note: Since January 1, 1996, Regulation 1031 has been amended by Ontario Regulation 10/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Subsection 34 (2) of Regulation 1031 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(2) Subject to subsection (3), a licence to operate a theatre or film exchange shall be for a period not to exceed one year and expires on the date set out in the licence.

2. Section 39 of the Regulation is revoked.

## RÈGLEMENT DE L'ONTARIO 559/96

pris en application de la  
LOI SUR LES CINÉMAS

pris le 19 décembre 1996

déposé le 23 décembre 1996

modifiant le Rég. 1031 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Depuis le 1<sup>er</sup> janvier 1996, le Règlement 1031 a été modifié par le Règlement de l'Ontario 10/96. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1995.

1. Le paragraphe 34 (2) du Règlement 1031 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

(2) Sous réserve du paragraphe (3), le permis d'exploitation d'un cinéma ou d'un centre de distribution de films ne peut être en vigueur pour une période de plus d'un an et expire à la date qu'il précise.

2. L'article 39 du Règlement est abrogé.

2/97

**ONTARIO REGULATION 560/96**  
made under the  
**LIQUOR LICENCE ACT**

Made: December 19, 1996  
Filed: December 23, 1996

Amending Reg. 719 of R.R.O. 1990  
(Licences to Sell Liquor)

Note: Since January 1, 1996, Regulation 719 has been amended by Ontario Regulations 155/96, 163/96, 231/96, 392/96 and 482/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Subsection 41 (5) of Regulation 719 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

6. A photo card issued by the Liquor Control Board of Ontario.

2/97

**ONTARIO REGULATION 561/96**  
made under the  
**LIQUOR LICENCE ACT**

Made: December 19, 1996  
Filed: December 23, 1996

Amending O. Reg. 389/91  
(Special Occasion Permits)

Note: Since January 1, 1996, Ontario Regulation 389/91 has been amended by Ontario Regulations 394/96 and 483/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Subsection 29 (5) of Ontario Regulation 389/91 is amended by adding the following paragraph:

6. A photo card issued by the Liquor Control Board of Ontario.

2/97

**ONTARIO REGULATION 562/96**  
made under the  
**LIQUOR LICENCE ACT**

Made: December 19, 1996  
Filed: December 23, 1996

Amending Reg. 719 of R.R.O. 1990  
(Licences to Sell Liquor)

Note: Since January 1, 1996, Regulation 719 has been amended by Ontario Regulations 155/96, 163/96, 231/96, 392/96, 482/96 and 560/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

1. Subsection 23 (3) of Regulation 719 of the Revised Regulations of Ontario, 1990 is amended by striking out "or" at the end of clause (b), by adding "or" at the end of clause (c) and by adding the following clause:

- (d) the premises known as the Great Blue Heron Charitable Casino located on Scugog Island, except any areas of the premises where bingo is played.

2/97

**ONTARIO REGULATION 563/96**  
made under the  
**PLANNING ACT**

Made: December 23, 1996  
Filed: December 24, 1996

**WITHDRAWAL AND DELEGATION OF  
MINISTER'S AUTHORITY—REGIONAL  
MUNICIPALITY OF YORK  
AND TOWN OF RICHMOND HILL**

1. In this Regulation,

"Minister's authority" means the Minister's authority to give approval under section 51 of the Act continued, as it existed immediately prior to March 28, 1995, by section 74.1 of the Act with respect to,

- (a) applications for approval of plans of subdivision whose file numbers are set out in Schedule 1, and  
(b) applications for approval or exemption of condominium descriptions under section 50 of the *Condominium Act* whose file numbers are set out in Schedule 2.

2. The delegation of the Minister's authority to the council of the Regional Municipality of York under Ontario Regulations 475/83 and 476/83 is withdrawn.

3. The Minister's authority is delegated to the council of the Town of Richmond Hill.

4. (1) If any of the authority delegated to the council is in turn delegated by the council to a committee of council or an appointed officer under subsection 5 (1) of the Act, the council shall forward to the Minister a certified copy of the delegating by-law within 15 days of its passing.

(2) The delegation of authority set out in this Regulation is not terminated by reason only that subsection (1) is not complied with.

5. This Regulation comes into force on January 1, 1997.

**Schedule 1**

**FILE NUMBERS OF APPLICATIONS FOR  
APPROVAL OF PLANS OF SUBDIVISION**

19T-95103

19T-95089

19T-95086

19T-95080

19T-95074

19T-95071

19T-95035

19T-95027

19T-95025



19T-95021

**Schedule 2**

19T-95020

**FILE NUMBERS OF APPLICATIONS FOR  
APPROVAL OF CONDOMINIUM DESCRIPTIONS**

19T-95017

19T-95016

19CDM-95015

19T-95010

19CDM-94017

19T-95006

19CDM-94016

19T-95003

19CDM-94015

19T-94049

19CDM-94014

19T-94042

19CDM-94012

19T-94041

19CDM-94003

19T-94030

19CDM-93006

19T-94018

19CDM-90013

19T-94017

19CDM-86015

19T-93025(A)

19T-91013

19T-90072

19T-90071

**AL LEACH**  
*Minister of Municipal Affairs and Housing*

19T-90061

Dated at Toronto on December 23, 1996.

19T-90006

19T-89128

2/97

19T-89114

19T-89113

19T-89092

**ONTARIO REGULATION 564/96**  
made under the  
**PLANNING ACT**

19T-89088

19T-89068

Made: December 27, 1996

19T-89065

Filed: December 30, 1996

19T-89062

Amending O. Reg. 136/95

19T-89059

(Delegation of Authority of Minister to Give Consents)

19T-89029

**Note:** Since January 1, 1996, Ontario Regulation 136/95 has been amended by Ontario Regulations 11/96 and 426/96. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1995.

19T-89021

19T-89011

**1. Section 1 of Ontario Regulation 136/95 is amended by striking out "sections 50 and 53" in the first and second lines and substituting "section 53".**

19T-88104

19T-88056

**2. The Regulation is amended by adding the following section:**

19T-88039

19T-88016

**3.2** Despite section 3, the delegation under section 1 does not apply to any application for a consent under section 53 of the Act made before January 1, 1997 in respect of land in,

19T-88001

19T-87077

(a) the Township of Black River-Matheson;

19T-86013

(b) the Blind River and Suburban Planning Area;

19T-85088

(c) the Temagami Planning Area.

19T-85049

19T-81008

**3. The Regulation is amended by adding the following section:**

3.3 Despite section 3, the delegation under section 1 does not apply to any application for a consent under section 53 of the Act made before February 1, 1997 in respect of,

(a) land in the Espanola Planning Area that is not in the Town of Espanola;

(b) land in the Smooth Rock Falls Planning Area.

4. Schedule 1 to the Regulation is amended by adding the following paragraph:

8.1 The Township of Black River-Matheson.

5. (1) Paragraph 1 of Schedule 2 to the Regulation is revoked and the following substituted:

1. The Blind River and Suburban Planning Board.

(2) Schedule 2 to the Regulation is amended by adding the following paragraph:

16.2 The Temagami Planning Board.

6. (1) Paragraph 3 of Schedule 2 to the Regulation is amended by striking out "in respect of the land in the Town of Espanola" in the first and second lines.

(2) Schedule 2 to the Regulation is amended by adding the following paragraph:

16.01 The Smooth Rock Falls Planning Board.

7. (1) Sections 1, 2, 4 and 5 come into force on January 1, 1997.

(2) Sections 3 and 6 come into force on February 1, 1997.

AL LEACH  
*Minister of Municipal Affairs and Housing*

Dated at Toronto on December 27, 1996.

2/97





## **TABLE OF REGULATIONS**

## **TABLE DES RÈGLEMENTS**

**January 1990 – December 1996**





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## TABLE OF REGULATIONS

The Table of Regulations shows the regulations contained in the Revised Regulations of Ontario, 1990 and those made after December 31, 1990 and before January 1, 1997. It also shows the amendments to those regulations.

Most of the listings are in English only. Some regulations have an official French version. Bilingual regulations are indicated by a bilingual title.

Occasionally numerical, typographical or other clerical errors are made in the publication of the text of regulations. Corrections are published in *The Ontario Gazette*. A schedule of the dates these corrections were published is included at the end of this Table.

The dates on which regulations were published in *The Ontario Gazette* are set out in a table immediately following this Table.

The abbreviation "Rev." means revoked.

The abbreviation "Exp." means expired.

## TABLE DES RÈGLEMENTS

La Table des règlements énumère tous les règlements contenus dans les Règlements refondus de l'Ontario de 1990 et ceux pris après le 31 décembre 1990 mais avant le 1<sup>er</sup> janvier 1997. Elle indique également les modifications apportées à ces règlements.

La plupart des entrées ne figurent qu'en anglais. Quelques règlements ont une version française officielle et leur titre est indiqué dans les deux langues.

À l'occasion, des erreurs d'écritures, notamment d'ordre numérique ou typographique, se glissent dans le texte des règlements qui sont publiés. Des corrections sont publiées dans la *Gazette de l'Ontario*. Les dates auxquelles ces corrections ont été faites figurent dans l'annexe qui se trouve à la fin de cette Table.

Les dates auxquelles les règlements ont été publiés dans la *Gazette de l'Ontario* figurent dans la table qui suit celle-ci.

L'abréviation «Rev.» indique que le règlement est abrogé.

L'abréviation «Exp.» indique que le règlement est périmé.

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—Geographic Township of Upsala .....		405/90	370/92
—Geographic Township of Upsala .....		360/95	
—Geographic Township of Ware .....		414/86	99/92, 264/94, 458/94, 548/95
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37/95 - 54/95	18/02/95	427/95 - 442/95	4/11/95	324/96 - 327/96	27/07/96
55/95 - 60/95	25/02/95	443/95 - 456/95	11/11/95	328/96 - 353/96	3/08/96
61/95 - 65/95	4/03/95	457/95 - 467/95	18/11/95	354/96 - 361/96	10/08/96
66/95 - 96/95	11/03/95	468/95 - 473/95	25/11/95	362/96 - 364/96	17/08/96
97/95 - 106/95	18/03/95	474/95 - 476/95	2/12/95	365/96 - 369/96	24/08/96
107/95 - 118/95	25/03/95	477/95 - 479/95	9/12/95	370/96 - 387/96	31/08/96
119/95 - 135/95	1/04/95	480/95 - 488/95	16/12/95	388/96 - 403/96	7/09/96
136/95 - 158/95	8/04/95	489/95 - 503/95	23/12/95	404/96 - 406/96	14/09/96
159/95 - 191/95	15/04/95	504/95 - 530/95	30/12/95	407/96 - 413/96	21/09/96
192/95 - 207/95	22/04/95	531/95 - 547/95	6/01/96	414/96 - 418/96	28/09/96
208/95 - 224/95	29/04/95	548/95 - 549/95	13/01/96	419/96 - 422/96	5/10/96
225/95 - 244/95	6/05/95	1/96 - 5/96	27/01/96	423/96 - 448/96	12/10/96
245/95 - 262/95	13/05/95	6/96 - 9/96	3/02/96	449/96 - 456/96	19/10/96
263/95 - 278/95	20/05/95	10/96	10/02/96	457/96 - 464/96	26/10/96
279/95 - 290/95	27/05/95	11/96 - 27/96	17/02/96	465/96 - 475/96	2/11/96
291/95 - 295/95	3/06/95	28/96 - 36/96	24/02/96	476/96 - 480/96	9/11/96
296/95 - 308/95	10/06/95	37/96 - 41/96	2/03/96	481/96 - 494/96	16/11/96
309/95 - 310/95	17/06/95	42/96 - 50/96	9/03/96	495/96 - 499/96	23/11/96
311/95 - 315/95	24/06/95	51/96 - 69/96	16/03/96	500/96 - 502/96	30/11/96
316/95 - 318/95	1/07/95	70/96 - 74/96	23/03/96	503/96 - 506/96	7/12/96
319/95 - 320/95	8/07/95	75/96 - 76/96	30/03/96	507/96 - 514/96	14/12/96
321/95 - 331/95	15/07/95	77/96 - 92/96	6/04/96	515/96 - 524/96	21/12/96
332/95 - 334/95	22/07/95	93/96 - 108/96	13/04/96	525/96 - 546/96	28/12/96
335/95 - 337/95	29/07/95	109/96 - 138/96	20/04/96	547/96 - 557/96	4/01/97
338/95 - 343/95	5/08/95	139/96 - 140/96	27/04/96	558/96 - 564/96	11/01/97
344/95 - 354/95	12/08/95	141/96 - 155/96	4/05/96		
355/95 - 356/95	19/08/95	156/96 - 162/96	11/05/96		
357/95 - 365/95	26/08/95	163/96 - 173/96	18/05/96		
366/95 - 371/95	2/09/95	174/96 - 193/96	25/05/96		
372/95 - 377/95	9/09/95	194/96 - 213/96	1/06/96		
378/95 - 386/95	16/09/95		8/06/96		
387/95 - 392/95	23/09/95	214/96 - 235/96	15/06/96		
393/95 - 399/95	30/09/95	236/96 - 257/96	22/06/96		
400/95 - 405/95	7/10/95	258/96 - 273/96	29/06/96		













